

## Registrar (J) (Budget)

May kindly see the online office note dtd. 12.02.2020 of Sri Radhey Mohan Srivastava, Additional District Judge, Jhansi in the matter regarding purchase of 2 BHK flat no. 202, second story of "Kalika Vihar" situated at Smriti Vihar Colony Kila Mohammdi Nagar ward Raja Bijli Pasi, Lucknow by M/s Kalika Nirman Group was submitted before Hon'ble Mr. Justice Virendra Kumar-II, upon which His Lordship has been pleased to order on 16.06.2020 that:-

*"The Officer Radhey Mohan Srivastava, learned Additional District Sessions Judge, Jhansi has purchased a 2 BHK Flat no. 202, second story of "Kalika Vihar" situated at Smriti Vihar Colony Kila Mohammdi Nagar ward Raja Bijli Pasi, Lucknow through sale deed dated 24.10.2019 from M/s Kalika Nirman Group.*

*His home take salary is 1,33,579/-. He took loan of Rs. 24,00,000/- from LIC Housing Finance Ltd. He has to pay EMI of Rs. 21,517/- per month.*

*The Officer has to provide information regarding his liability viz., education of children, particulars of his children along with age & household expenses per month.*

*The Section Officer has to verify and report whether "M/s Kalika Nirman Group" Reg. no. 204236, office 569-Ka/532 Sneh Nagar Alambagh, Lucknow. (Partners Harish Kandru & Tarun Lakhmani) is a regular and reputed dealer or whether it is blacklisted or not.*

*The Section has to also verify liability of the Officer viz., age of the children, earning members on the basis of property statement submitted by the Officer.*

*The aforesaid information be submitted within a month."*

In this connection, it is submitted that the order of His Lordship has been conveyed to the officer through online mode asking him to comply with the Court's order accordingly. It is further submitted that in compliance of the Court's order, an offline letter dtd. 19.06.2020 has been sent to the Secretary of U.P.R.E.R.A, in which it is requested to look into the matter and to furnish the required information about blacklisting of the Company as desired by the

Hon'ble Court positively within a week so that the Hon'ble Court is apprised about the same & the other offline letter of the same date to The Director of M/s Kalika Nirman Group in which he is requested to furnish information/papers to the effect that his company is regular/reputed and registered dealer, by treating it as most urgent and early reply within a week is solicited.

In reply of the online query raised by this Court on 16.06.2020, the officer has sent his reply through his letter dtd. 14.07.2020 that:-

He resides in his posting place along with his wife, two twins (11yrs old son & one daughter) & 80yrs old mother. Thus, the complete livelihood needs of the family members is solely on the officer. Rs. 40,000/- approx. is spent monthly on household expenses, Rs. 2,000/- approx. is spent on medicines & Rs. 30,000/- approx. is spent on education of both the children who are studying in 7<sup>th</sup> standard in Sun International School, Jhansi as tuition fees. Copy of quarterly tuition fees receipt, birth certificate & adhaar card can be seen as attachment dtd. 15.07.2020.

It is noteworthy to mention here that no reply has been sent either from the Secretary of U.P.R.E.R.A. or from The Director of M/s Kalika Nirman Group Ltd. within the given timebound period & therefore again a report was asked from S.O. Admin (H) section on 09.09.2020 through offline mode. In reply of the Court's letter dtd. 19.06.2020, a separate letter from RERA has been received in the matter through letter dtd. 01.07.2020 received offline on 21.09.2020 in which Sri Vijay Bahadur Singh, Technical Advisor, U.P. RERA has stated that the Reg. no. 204236 of M/s Kalika Nirman Group" given in the said letter is not of UP RERA. Moreover, the builders i.e. Sri Harish Kandru & Tarun Lakhmani are not registered in Smriti Vihar Colony, Kila Mohammadi Nagar, ward Bijli Pasi or "Kalika Vihar Project" of "Kalika Nirman Group". Thus, as the builders have not registered in RERA, no information is available regarding the blacklisting of the company.

In reply of the Court's letter dtd. 19.06.2020, Sri Harish Kandru & Sri Tarun Lakhmani Prop. M/s Kalika Nirman Group through their offline letter dtd. 15.07.2020 received on 21.09.2020 has stated that the aforementioned flat purchased by the officer & his wife has been registered on 24.10.2019 in the office of Deputy Registrar, Sarojini Nagar, Lucknow. Thus, the said firm i.e. "M/s Kalika Nirman Group" firm is a registered & reputed firm. He has also enclosed copy of Registration Certificate of the firm & G.S.T. Registration Certificate alongwith his offline letter. The officer too through his letter dtd. 17.07.2020 received on 21.09.2020, has stated that the said firm i.e. Kalika Nirman Group (whose Prop. are Harish Kandru & Tarun Lakhmani) is a registered, reputed & regular firm who deals in construction of flats, govt. organizations & real estate developers.

As far as the order portion of the Hon'ble Judge is concerned i.e. *The Section has to also verify liability of the Officer viz., age of the children, earning members on the basis of property statement submitted by the Officer*, it is pertinent to mention here that the office checked the property statement for the year 2017-18 of the officer and found that as on 31.03.2018, his family consists of himself, his wife aged 36yrs, a daughter aged 09yrs, a son aged 09yrs and mother aged 80yrs, amongst them his mother is a pensioner and no other family member is earning member of the family. The officer is showing expenditure on education of both the children as Rs. 30,000/- annually for 7<sup>th</sup> standard, which appears to be acceptable seeing receipt of quarterly fee deposits. About the household expenses, the officer himself stated that Rs. 40,000/-, monthly expenditure is done.

Under the facts & circumstances, mentioned above, if approved, the file may be laid before Hon'ble Mr. Justice Virendra Kumar-II for His Lordship's kind perusal & further orders in the matter?

Munmun Narang

Review Officer

Mohd. Arshad

Asst. Registrar

28.09.2020

Hon'ble Mr. Justice Virendra Kumar-II

Nominated Judge

Submitted for kind perusal & order

Registrar(J)(Budget)

28.09.20