

Joint Registrar (J) Budget)

May kindly see the online application of Sri Ujjwal Upadhyay, Civil Judge (Jr. Div.), Maudaha-Hamirpur regarding information to sell his old Maruti Dzire car, intimated through his application dated 29.01.2020.

Through his application, Sri Ujjwal Upadhyay has stated he was the owner of a Maruti Dzire car bearing reg. no. UP 78 EX 9715, which is stated to have been purchased by him on 04.10.2017 & has been duly intimated to this Court. Now, the said car is stated to have been transferred on 15.05.2019 to Sri Arun Kumar Dwivedi through Sri Sai Car Baazar, Kanpur for Rs. 6,15,000/- which has been received in his S.B. A/c no. 20357420340, SBI, Kanpur Nagar. Sri Sai Car Baazar is a firm which deals in purchase & sale of car & works on commission basis for the said task. Out of the said amount received on 16.05.2019 by the sale of his car, Rs. 4,91,608/- is stated to have been transferred to his loan account no. 37189876386, taken for the purchase of car. Thus, his loan account has been closed. Copy of passbook of his S.B. A/c no. 20357420340, SBI, Kanpur Nagar, online A/c details of the month of May 2019, copy of NOC from SBI, Lakhanpur Kanpur, copy of present RC of the car & Notary paper executed with Sai Car Bazaar can be seen as attachment. At present, the officer did not possess any vehicle. The purchaser is neither related to him in any manner. Therefore, the officer has sent information regarding sale of his old car for Rs. 6,15,000/- through Sri Sai Car Bazaar, who has initially taken the delivery of the car & thereafter sold to the purchaser. From perusal of copy of Insurance policy, it transpires that the insured value of the car is Rs. 5,83,118/- for which query has been sent to the officer that why is the sale price i.e. Rs. 6,15,000/- more than the market value. The officer has sent reply that the said vehicle has been purchased for Rs. 8,41,000/- & has been sold for Rs. 6,15,000/- which is comparatively less than the resale value of other Maruti cars. The sale transaction appears to have been done through an agent of standing.

In this connection, it is submitted that the relevant Rule-24 (2) of U.P. Government Servant's conduct Rules, 1956 relating to purchase/sale of movable property are as follows: -

24 (2):- *"A Government servant who enters into any transaction concerning any movable property exceeding in value, the amount of his basic pay for one month, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the appropriate authority;*

Provided that no Government servant shall inter into any such transaction except with or through a reputed dealer or agent of standing, or with the previous sanction of the appropriate authority.”

Under the facts & circumstances mentioned above, if approved, the file may kindly be placed before Hon'ble Mr. Justice Virendra Kumar-II for His Lordship's kind perusal and orders.

Munmun Narang

R.O.

Mohd. Arshad

A.R. (Admin A-4)

21.11.2020

Hon'ble Mr. Justice Virendra Kumar-II

Nominated Judge

Submitted for kind perusal & order

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