

**Registrar (J) (Budget)**

May kindly see the online application of Sri Bhuwan, Additional Civil Judge (Jr. Div.), Unnao regarding information about sale of his immovable property i.e. flat no. T2-706, Akash Residency, Adarsh Colony, near 23<sup>rd</sup> Vahini PAC, Moradabad.

In his application, Sri Bhuwan has stated that he has joined UP Judicial Services as Civil Judge (Jr. Div.) on 15.11.2019. Prior to joining of judicial services, he was jointly owing with his wife Smt. Hina Gupta an immovable property i.e. flat no. T2-706, Akash Residency, Adarsh Colony, near 23<sup>rd</sup> Vahini PAC, Moradabad. Before joining the services, process for selling of the abovementioned property was already initiated & immediately after joining, aforementioned property was sold. The said property has been sold to Smt. Priyanka Singh on 30.11.2019 for Rs. 40,00,000/-. The said purchaser is neither related to him in any way nor any case is decided or pending in his court. The payment thus received is in the form D.D. & cheques. The officer has also enclosed copy of sale deed which can be seen as attachment. In the meantime, it has come to his notice that as per Rule 24 of UP Government Servant's Conduct Rules, 1956, he was required to seek prior permission for sale from the appropriate authority. But, as he was new to the Judicial services and was totally unaware of the abovementioned rule 24 of UP Government Servant's Conduct Rules, 1956, due to which the property was sold without seeking prior permission of the appropriate authority. He is seeking unconditional apology for above act and assures that such kind of mistake would not be occurred in future. In view of the above, it is most respectfully requested that the above intimation may kindly be placed for perusal of the Hon'ble Court.

In this connection, it is submitted that the property was owned jointly by the officer & his wife prior to joining of his judicial service. The relevant Rule 24(2) of the U.P. Government Servant's Conduct Rules-1956, applicable in this case, is reproduced as below: -

*“A Government servant who enters into any such 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 enter into any such transaction except with or through a reputed dealer or agent of standing, or*

*with the previous sanction of the appropriate authority.”*

As mentioned above the officer has shown his unawareness of the relevant rule being a new entrant in service & seeks apology, the matter is now upto the discretion of Hon'ble Court either to simply accept the information submitted by the officer or to grant ex-post facto permission to regularise the matter, although the officer has not requested for the same.

Under the facts mentioned above, if approved, the file may kindly be placed before Hon'ble Mr. Justice Mohd. Faiz Alam Khan, Nominated Judge for disposal of the matters of Judicial Officers, of information/ permission of sale/ purchase of movable/ immovable property or gift etc., for the District Unnao, for His Lordship's kind perusal and orders?

Munmun Narang

Review Officer

Mohd. Arshad

Asst. Registrar

19.09.2020

**Hon'ble Mr. Justice Mohd. Faiz Alam Khan,**

**Nominated Judge**

Submitted for kind perusal and orders.

**Registrar(Judicial)(Budget)**

**22.09.20**