

Registrar (J) (Budget)

May kindly see the online application of Sri Krishna Chandra Pandey, Special. Judge (E.C. Act), Saharanpur regarding grant of permission to sell immovable properties i.e. 0.0282 hectare land of Khasra/Gata No. 365 area 0.0465 hectare & 0.0183 hectare land of Khasra/Gata No. 365 area 0.0465 hectare.

In his application, Sri Pandey has stated that he has a parental old residential house at his permanent residence, Village-Belaspur (Uruwa Bazar), Tehsil-Gola Bazar, Distt. Gorakhpur, both are in a dilapidated condition, and have been substantially damaged. Thus both the houses being ancestral properties are emotionally important to him. He wishes to renovate/repair house situated at village-Sidhuapar, Distt.-Gorakhpur and reconstruct/redesign house situated at Village-Belaspur (Uruwa Bazar), Distt.-Gorakhpur. It is also pertinent to mention here that in the renovation and reconstruction process of above old native houses, a substantial amount of money is required.

He also owns lands in his ancestral/native village-Sidhuapar, Tappa-Haveli, Pargana-Chillupar, Post-Barhalganj, Tehsil-Gola Bazar, Distt.-Gorakhpur & some other village adjacent, many of his ancestral lands are situated, which have been inherited from ancestors along with other co-sharer. Details have been mentioned in his earlier property statements submitted to the Hon'ble Court.

One of the above-noted land/property, Gata no. 365, ad-measuring 0.186 hectare is situated in his ancestral/native village-Sidhuapar, Distt.-Gorakhpur. He has inherited $\frac{1}{4}$ share i.e. 0.0465 hectare land in the above-said property as bhumidar with transferable rights. The

property thus mentioned is a joint land, and other co-sharer elder father Late Sri Sharad Chandra Pandey with $\frac{1}{2}$ share i.e. 0.93 hectare, and elder brother Dr. Chand Shekhar Pandey with $\frac{1}{4}$ share i.e. 0.0465 hectare have already sold out their respective shares. Copy of old Khatauni bearing name of all co-sharer & latest Khatauni bearing mutation order (dhakhil kharij) after sale-deed of other co-sharer has been submitted by the officer as attachment). It is also important to mention that hereafter sale deed by other co-sharer, there are chances of encroachment, damage & loss to the land and crops of his share, since being in service he is unable to effectively manage above land of his share.

To meet out the expenses of his old above noted ancestral/native houses and to save his ancestral/native property from encroachment, he wishes to dispose off his $\frac{1}{4}$ share, i.e. 0.0465 hectare, i.e. 465 sq. m. in above said property, Gata no. 365, situated in his ancestral/native village-Sidhuapar, Distt-Gorakhpur. The circle rate of the adjacent land to the above-mentioned land at that time is Rs. 7260/- per sq. m. as shown in Circle Rate List of year 2016 of Tehsil Gola Bazar. (copy of Circle Rate List-2016 of Tehsil Gola Bazar, Distt. Gorakhpur has been submitted by the officer as attachment). The resident of his native/ancestral village Sidhuapar, Smt. Subhavati Devi W/o Sri Dasharatha Yadav wishes to purchase area of 0.0282 hectare land of above said Gata for a consideration amount of Rs. 18,80,000/-, and Smt. Shanti Devi W/o Sri Rajendra, R/o village Mauawn Mau Bujurg Bharauli, Post-Barhalganj, Tehsil-Gola Bazar, Distt. Gorakhpur, is ready to purchase his rest share of said land Gata no. 365, i.e. 0.0183 hectare for a consideration amount of Rs. 12,20,000/-, which is almost equivalent to market price and circle rate of the area. The above mentioned purchasers are neither related nor directly or indirectly interested to him. They are the independent purchasers and want to purchase above land at prevailing market prices & circle rates. He has, therefore, requested that the matter be

placed before Hon'ble Court for permission to sell the aforesaid plots to the said purchasers.

It is submitted that as per Rule- 24 (1) of U.P. Government Servant's conduct Rule-1956: -

“No Government servant shall, except with the previous knowledge of the appropriate authority acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise, either in his own name or in the name of any member of his family;

Provided that any such transaction conducted otherwise than through a regular & reputed dealer shall require the previous sanction of the appropriate authority.”

Under the facts & circumstances mentioned above, if approved the file may kindly be laid before Hon'ble Mr. Justice Mohd. Faiz Alam Khan for His Lordship's kind perusal & if His Lordship approves, Sri Krishna Chandra Pandey, Special. Judge (E.C. Act), Saharanpur may be granted permission to sell 0.0282 hectare land of Khasra/Gata No. 365 area 0.0465 hectare to Smt. Subhavati Devi W/o Sri Dasharatha Yadav, R/o Village-Sidhuapar, Tappa-Haveli, Pargana-Chillupar, Post-Barhalganj, Tehsil-Gola Bazar, Distt.-Gorakhpur for Rs. 18,80,000/- & 0.0183 hectare land of Khasra/Gata No. 365 area 0.0465 hectare to Smt. Shanti Devi W/o Sri Rajendra, R/o Village-Mauawn Mau Bujurg Bharauli, Post-Barhalganj, Tehsil-Gola Bazar, Distt.-Gorakhpur for Rs. 12,20,000/-, as requested, subject to the condition that the

relevant papers of the sale transaction alongwith copy of the sale deed be furnished by him immediately on completion of the transaction?

Munmun Narang

Review Officer

Mohd. Arshad

Asst. Registrar (Admin A-4)

20.08.2020

Hon'ble Mr. Justice Mohd. Faiz Alam Khan

Nominated Judge

Submitted for kind perusal & order

Registrar(J)(Budget)

20.08.20