

Joint Registrar (J) (Budget)

May kindly see the online application received from Sri Yashwant Kumar Saroj, the then Additional Chief Judicial Magistrate, Bareilly presently posted as Chief Judicial Magistrate, Azamgarh by which he has requested for grant of permission to purchase plot no. D-388, measuring 330.00 sq. m., DLF Garden City, Village-Purseni, Tehsil-Mohan Lal Ganj, Rai Bareilly Road, Lucknow.

In his application, Sri Yashwant Kumar Saroj has stated that he intends to purchase plot no. D-388, measuring 330.00 sq. m., DLF Garden City, Village-Purseni, Tehsil-Mohan Lal Ganj, Rai Bareilly Road, Lucknow from M/s DLF Ltd. The plot was earlier allotted to M/s Prem Traders LLP. As per ledger of plot No. D-388, Prem Traders LLP had paid to M/s DLF Ltd., a gross total of Rs. 73,97,416/ (inclusive of taxes). As per mutual agreement (copy of agreement is attached) between M/s Prem Traders LLP and the officer concerned, he has to pay M/s Prem Traders LLP a total sum of Rs. 76,00,000/- excluding stamp duty & reg. charges i.e. Rs. 3,00,640/-. However, the first party seller will be DLF Ltd. Registry will be executed by the first party seller i.e. DLF Ltd. He has submitted pointwise details of the proposed transaction, as required under the provisions of this Court's Circular Letter No. 25/ Admin (A) dated 13.07.1998 and has therefore, requested for grant of permission to purchase the above mentioned plot.

The information regarding transaction of the plot, as required under Court's Circular Letter No. 25/ Admin (A) dated 13.07.1998 as furnished by the officer is given below: -

1	Date of joining service	17/04/10
2	Present Gross Salary Take home Salary	Rs. 1,28,823/- Rs. 1,02,174/-
3	Details of purchases (Moveable property exceeding to value of Rs. 10,000/-and immovable property) made by the officer earlier.	None
4	Details of Advance or Loan taken from the High Court.	Nil
5	Details of loan taken from Bank etc.	Nil
6	Details regarding purchase of second hand car.	N.A.
7	Details of the property proposed to be purchased	Plot No. D-388, measuring 330.00 sq. m., DLF Garden City, Village-Purseni, Tehsil-Mohan Lal Ganj, Rai Bareilly Road, Lucknow. (Copy of 'Agreement to Transfer' has been submitted by the officer as attachment).
	(b) Cost price	Rs. 79,00,640/- including Registration charges and other taxes
8	Name and address of the seller(s).	M/s DLF Ltd., a company incorporated under the Companies Act, 1956, having its registered office at DLF Shopping Mall, 3 rd floor, Arjun Marg DLF City Phase-1, Gurgaon.
9	Status of the Seller /Dealer	Regular & Reputed
10	Whether the seller is related to the officer in any manner and whether any case against him is pending/decided by the officer.	No

11	Details of source of amount	<p>1. Rs. 48,00,000/- is proposed to be taken as housing loan from SBI, Bareilly repayable in 360 EMIs of Rs. 31,300/- (Copy of 'Bank Offer letter' has been submitted by the officer as attachment).</p> <p>2. Rs. 6,00,000/- is stated to have been paid by the officer through NEFT as advance money in consideration of the agreement out of his own S.B. A/c (copy of statement of A/c has been submitted by the officer as attachment).</p> <p>3. His father-in-law has proposed to give him Rs. 15,00,000/- as gift for the purchase of the above mentioned plot. (copy of 'Consent Letter' of his father-in-law has been submitted by the officer as attachment).</p> <p>4. The remaining amount will be paid out of his own S.B. A/c in which he has a balance of Rs. 18,05,539/- (copy of statement of A/c has been submitted by the officer as attachment).</p>
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In this connection, it is submitted that although M/s DLF Ltd. is the sole owner of the said flat and the sale will technically done by the M/s DLF Ltd. to the officer directly, but as in the instant case, a huge amount has been paid to first/original allottee of the plot and as this transaction includes a private Ltd. company in between, he has applied for prior permission to purchase the same.

It is further 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."

Therefore, if approved, the file be laid before Hon'ble Mr. Justice Ali Zamin, Nominated Judge for disposal of the matters of Judicial Officers, of information/ permission of sale/ purchase of movable/ immovable property or gift etc., for His Lordship's kind perusal and if His Lordship approves, Sri Yashwant Kumar Saroj, Chief Judicial Magistrate, Azamgarh may be granted permission to purchase plot no. D-388, measuring 330.00 sq. m., DLF Garden City, Village-Purseni, Tehsil-Mohan Lal Ganj, Rai Bareilly Road, Lucknow for Rs. 79,00,640/- which was originally booked by M/s DLF Ltd. to M/s Prem Traders LLP, as requested, subject to the condition that the relevant papers of the transaction alongwith copy of the sale deed be furnished by him immediately on completion of the transaction?

Munmun Narang R.O.

Mohd. Arshad A.R.

05.07.2021

Hon'ble Mr. Justice Ali Zamin,

Nominated Judge

Submitted for kind perusal & order

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