

Joint Registrar (J) (Budget)

May kindly see the online application received from Dr. Laxmi Kant Rathaur, Spl. Judge (E.C. Act), Ghazipur by which he has requested for grant of permission to purchase house no. H-1/7-D, measuring 265.10 sq. m., Kanpur Road Yojana, ward Vidya wati Devi, L.D.A. Colony, sector-D, Lucknow.

In his application, Dr. Laxmi Kant Rathaur has stated that he intends to purchase house no. H-1/7-D, measuring 265.10 sq. m., Kanpur Road Yojana, ward Vidya wati Devi, L.D.A. Colony, sector-D, Lucknow from Mr. Barun Kumar Bhattacharya S/o Late R.P. Bhattacharya, R/o H-1/7-D, Kanpur Road Yojna, ward Vidya wati Devi, L.D.A. Colony, Sector-D, Lucknow for Rs. 1,08,00,000/-. 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 house.

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

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| 1 | Date of joining service | 06/07/15 |
| 2 | Present Gross Salary Take home Salary | Rs. 1,85,769/- Rs. 1,42,543/- |
| 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 | House no. H-1/7-D, measuring 265.10 sq. m., Kanpur Road Yojana, ward Vidya wati Devi, L.D.A. Colony, sector-D, Lucknow. |
| | (b) Cost price | Rs. 1,08,00,000/- |
| 8 | Name and address of the seller(s). | Mr. Barun Kumar Bhattacharya S/o Late R.P. Bhattacharya, R/o H-1/7-D, Kanpur Road Yojna, ward Vidya wati Devi, L.D.A. Colony, Sector-D, Lucknow. |
| 9 | Status of the Seller /Dealer | Private person |
| 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 |

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| 11 | Details of source of amount | <p>1. FD no. LK/6525279 dtd. 19.09.2018 of HDFC Ltd. was got prepared for Rs. 5,00,000/- in the name of his wife. It was financed from his S.B. A/c of PNB by transferring the amount to his wife's S.B. A/c of SBI which may be verified from bank statement attached for the year 2018-19. Again, the maturity amount of Rs. 5,76,984/- was re-invested for further one year in FD No. LK/695681 dtd. 01.08.2020 with due date of maturity on 19.07.2021 for Rs. 6,14,258/- (copy of FD can be seen as attachment).</p> <p>2. Deposit receipt no. LK/7073364 dtd. 08.02.2021 of HDFC for Rs. 5,00,000/- was got prepared in the name of his wife. It has been financed by receiving amount of Rs. 4,48,000/- on maturity of RD of Post office on 29.01.2021 and rest amount from her own savings which may be verified from entries of SBI S.B. A/c from 03.02.2021 to 05.02.2021.</p> <p>3. The amount of Rs. 9,00,000/- has initially been invested in the name of his wife under MIS of Post office on 13.01.2011 before date of joining in his service with monthly interest amount of Rs. 6,000/- & 5 percent bonus on maturity. A sum of Rs. 9,45,000/- was received on maturity date of 12.01.2017. Out of which a sum of Rs. 9,00,000/- was further re-invested on 13.01.2017 under MIS. The monthly interest received was invested under RD of post officer continuously.</p> <p>4. An amount of Rs. 4,45,467/- has been received on closure of ICICI floating funds Growth Folio no. 12449313/68 on 06.04.2021 (copy of Fund statement as well as SBI A/c statement can be seen as attachment).</p> <p>5. The above fund was financed from time to time from his own S.B. A/c of PNB by transferring amount to his wife's SBI A/c which may be verified from his S.B. Therefore, an amount of atleast Rs. 15,00,000/- may be arranged from his wife's A/c/FDs.</p> <p>6. Rs. 3,57,251/- (Rs. 1,48,251/- on 23.02.2021 & Rs. 2,09,000/- on 06.04.2021) has already been credited in his S.B. A/c of PNB from SIPs which has been financed from his Salary A/c (copy of the statement can be seen as attachment).</p> <p>7. Rs. 5,00,000/- has already been paid to the seller as advance on 13.04.2021 vide cheque no. 842521 of PNB A/c from his S.B. A/c.</p> <p>8. Rs. 1,50,000/- will be arranged from his salary A/c till the date of registration.</p> <p>9. Rs. 3,00,000/- will be arranged further from SIPs (copy of statement can be seen as attachment).</p> <p>10. Rs. 80,00,000/- is proposed to be taken as housing loan from PNB, repayable in 180 EMIs of Rs. 72,000/- (copy of 'Bank Offer Letter' can be seen as attachment)</p> |
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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 Ajai Kumar Srivastava-I, 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, Dr. Laxmi Kant Rathaur, Spl. Judge (E.C. Act), Ghazipur may be granted permission to purchase house no. H-1/7-D, measuring 265.10 sq. m., Kanpur Road Yojana, ward Vidya wati Devi, L.D.A. Colony, sector-D, Lucknow for Rs. 1,08,00,000/-, 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.

10.06.2021

Hon'ble Mr. Justice Ajai Kumar Srivastava-I,

Nominated Judge

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

