

Joint Registrar (Judicial) (Budget)

May kindly see the online application of Sushri Deepanshi Chowdhary, Civil Judge (Junior Division) (Fast Track Court), Raebareli regarding grant of permission to visit Maldives alongwith her would be husband after her wedding for a vacation tentatively from 27.02.2022 to 05.03.2022.

In her application, Sushri Deepanshi Chowdhary has stated that her wedding is scheduled to be held on 21.02.2022 and she would be on Earned Leave from 17.02.2022 to 12.03.2022. Post her wedding, she wishes to visit Maldives for a vacation tentatively from 27.02.2022 to 05.03.2022 with her spouse. She has also stated that Maldives has an on arrival visa system and the officer and her would be husband have been fully vaccinated against COVID-19 and would follow all the COVID protocols of both India and Maldives during their visit. Thereafter, the officer has been asked to submit declarations and details about expenditure and some other details. In reply of the same, the officer has attached the copy of passport and her declarations/ details as attachment, wherein she has declared as follows:-

1. There will be no dilemma to either the Government of Uttar Pradesh or to the Government of India by her visit to Maldives.
2. Request to visit any foreign country has never been refused to her.
3. She has not visited any foreign country before.
4. She would be leaving for Maldives on 27.02.2022 (tentative) and would be returning on 05.03.2022 (tentative). The period of stay in Maldives would be six days and seven nights.
5. The estimated expenditure of the visit would be around Rs. 3,00,000/- and her father who is retired government servant i.e Retired Deputy Labour Commissioner, would be financing the expenditure (copy of her father's passbook can be seen as attachment showing clear balance of Rs. 8,76,306/-).

Furthermore, online objection was raised in the light of Hon'ble High Court's Circular letter dated 27.05.2017, wherein it is stated that a pleasure trip can not be performed during working days, thus through the objection, the officer was asked to submit his status regarding the same as her visit is falling in the working day of the Hon'ble Court. In reply, the officer has stated that her wedding is scheduled to be held on 21st February 2022 and post her wedding, she wishes to visit Maldives for a vacation with her spouse from 27.02.2022 to 05.03.2022 tentatively. She has further stated that unfortunately she do not have any other opportunity in life on the occasion of her wedding to visit abroad on Honeymoon except during the above mentioned period, as summer vacations are falling in June 2022, therefore, this being the only opportunity for her in life on the occasion of her wedding to visit abroad on Honeymoon. It is also pertinent to mention here that as asked by Ld. Joint Registrar (Judicial) (Budget), it is to submit here that through the Leave Id. 111583, the officer has applied for earned leave from 11.02.2022 to 11.03.2022 for her wedding, which is still pending. However, previously on 26.08.2021, she had stated that she will be on earned leave from 17.02.2022 to 12.03.2022, but subsequently on 18.11.2021, she has informed that her earned leave from 11.02.2022 to 11.03.2022 is already applied and pending. She has, therefore, most humbly requested for grant of permission to visit Maldives after her wedding alongwith her spouse for a vacation tentatively from 27.02.2022 to 05.03.2022 on the ground of mercy, for which she would be eternally grateful.

In this connection, it is submitted that grant of permission to visit abroad is considered in accordance to the G.O.1/3/98-Ka-Prasko/1999 dated 14 June 1999 and in accordance with Hon'ble High Court's Circular Letter No. 16/ IV-f-101/ Admin (A)/ dated 27.05.2017. As per reports, no vigilance/ departmental enquiry is pending against Sushri Deepanshi Chowdhary. It is pertinent to mention here that the duration of her visit is from 27.02.2022 to 05.03.2022 i.e. about 07 days, which includes working days except Sunday and Mahashivratri holidays and as stated by the officer that she would be taking earned leave for her wedding and wants to visit Maldives with her future husband post marriage, thus this trip appears to be a pleasure trip. As per Hon'ble High Court's Circular Letter No. 16/ IV-f-101/ Admin (A)/ dated 27.05.2017, which approves certain guidelines that:

1. "Abroad tour by any officer shall not be availed of during working days of the Court or during the period of suspension/departmental proceedings, except in case of medical treatment of himself/ herself, spouse or dependent, or in special circumstances, and tours which are sponsored and/ or approved by the State/ Central Government during certain fixed span of time and does not fall during vacation. In these eventualities the Judicial officers shall

seek permission before applying for VISA.

2. For other reasons and for pleasure trips, the officers will be permitted to go abroad only during vacations/ official holidays, for which, even before applying for VISA, prior permission should be applied at least two months prior to the proposed visit.

3. For the purpose of grant of such permission, Hon'ble The Chief Justice will be the competent authority for the Judicial Officers, posted in the High Court, Allahabad, its bench at Lucknow and those who are on deputation outside the State, and Hon'ble the Administrative Judge of the district concerned, for the Judicial officers posted in Judgeship or in the District on any deputation post, subject to approval by Hon'ble the Chief Justice or any other member of the Administrative Committee authorised by the Hon'ble Chief Justice."

Vide subsequent order dated 19.10.2020, Hon'ble the Chief Justice has been pleased to nominate Hon'ble Mr. Justice Pritinker Diwaker, to consider request of permission of the Judicial Officers to visit abroad in His Lordship's place.

In the instant case, the officer has stated that she do not have any other opportunity in life on the occasion of her wedding to visit abroad on Honeymoon except during the above mentioned period, as summer vacations are falling in June 2022. Now, its upto the discretion of Hon'ble The Chief Justice/ Hon'ble Nominated Judge and Hon'ble Administrative Judge, Raebareli either as a special case, to grant her permission to visit Maldives from 27.02.2022 to 05.03.2022 alongwith her would be husband or, to pass any other order.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice Jayant Banerji, Administrative Judge, Raebareli for kind perusal and if His Lordship approves, as a special case, Sushri Deepanshi Chowdhary, Civil Judge (Junior Division) (Fast Track Court), Raebareli may be granted permission to visit Maldives alongwith her would be husband after her wedding for a vacation tentatively from 27.02.2022 to 05.03.2022, as requested, subject to approval by Hon'ble Mr. Justice Pritinker Diwaker, nominated Judge, as per Hon'ble High Court's Circular Letter No. 16/ IV-f-101/ Admin (A)/ dated 27.05.2017 and order dated 19.10.2020 of Hon'ble the Chief Justice, as mentioned above with the condition that she will intimate actual dates of departure and return to India and also that proper charge of Government records or cash, if any, or any government property with her, may be handed over by her before proceeding abroad?

Or

B) To pass any other order, which His Lordship deems fit and proper.

Archana Awasthi, Review Officer,
Mohd. Arshad, Assistant Registrar,
Admin (A-4)
04.01.2022

Hon'ble Mr. Justice Jayant Banerji,

Administrative Judge, Raebareli

Submitted for kind perusal & order

Joint Registrar (Judicial) (Budget)