

## **Joint Registrar (J) (Budget)**

May kindly see the online application received from Sri Himanshu Dayal Srivastava, Additional District & Sessions Judge (FTC), Siddharth Nagar regarding grant of permission to sell his 1/8th part which has been obtained by him as legal heir in a parental house alongwith his co-sharers.

In his application, Sri Himanshu Dayal Srivastava has stated that his father Late Dr. Hargovind Dayal Srivastava (Retd. Reader, D.V. P.G. University, Orai, Jalaun) & mother Dr. Smt. Sharda Srivastava (Retd. Reader, D.V. P.G. University, Orai, Jalaun) had jointly purchased a plot in mohalla Hajaripura Orai, Jalaun & constructed a house upon it. His father has expired on 28.12.2019 in Lucknow, thereafter, on that parental house no. 57, Hajaripura Orai, Jalaun, his father's half part is now jointly belonged to his mother Dr. Smt. Sharda Srivastava, his elder brother Smt. Rahul Srivastava, his elder sister Smt. Namrata Mohan & the officer himself equally having 1/8 share. Due to some family need, all the members of the family, who are legal co-sharers of the property, intends to sell it off for Rs. 45,50,000/- to one Smt. Sunita W/o Sri Chandrashekhar, R/o 17 Matapura, Orai, Jalaun. In the said property, the value of 1/8th part of the officer comes to Rs. 5,68,750/-. Therefore, the officer too intends to sell off his 1/8th part to the said purchaser alongwith his co-sharers due to his family needs (Copies of, Sale Agreement, death certificate of his father, old sale deed of the said property, as well as Family members certificate can be seen in attachments). The officer has also declared that the proposed purchaser is not related to him in any way and any of her case is not ever pending or decided in his court. He has, therefore, requested that the matter be placed before Hon'ble Court for permission to sell the aforesaid plot to the said purchaser.

In this connection, it is submitted that the property in question has been acquired by the officer as parental property as legal heir after the death of his father. 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."

As such, if approved, the matter may kindly be laid 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 Siddharth Nagar, for His Lordship's kind perusal and if His Lordship approves, Sri Himanshu Dayal Srivastava, Additional District & Sessions Judge (FTC), Siddharth Nagar may be granted permission to sell house no. 57, Hajaripura, Orai, Jalaun to Smt. Sunita W/o Chandrashekhar, R/o 17, Matapura, Orai, Jalaun for Rs. 45,50,000/- alongwith his co-sharers, and to receive his 1/8th share sum of Rs. 5,68,750/-, as requested, subject to the conditions that he should submit the relevant details and papers of the transaction after its completion?

Munmun Narang R.O.

Mohd. Arshad A.R.

20.09.2021

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

**Nominated Judge**

Submitted for kind perusal & order

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