

I/c Joint Registrar (J) (Budget)

May kindly see the online application received from Sri Ajay Kumar-I, Additional District & Sessions Judge, Hathras regarding grant of permission to sell 2 BHK flat no. BT-2/602, measuring 142.17 sq. m., in residential apartment of ADA, Height scheme situated at Tej Nagari, Phase-II, Fatehabad Road, Agra.

In his application, Sri Ajay Kumar has stated that he had purchased a 2 BHK flat from Agra development authority (ADA), Agra in the year 2013. All details of payment and sale deed in this regard had been informed to Honorable court vide letter number 852/2010 J.P.Nagar dt. 13/09/2010 & letter no. 1095, Saharanpur dt. 1/8/2016. Additionally, he has consistently disclosed this information in all two yearly statements of immovable property submitted to Honorable court from time to time. (copy of intimation letters can be seen as attachment). Moreover, he has further stated that the aforesaid flat is not being properly maintained by ADA, Agra for the last about 8 -9 years with the result that the building is developing cracks, plaster has fallen off at several places, there has been no white wash since construction, lifts are not in proper working condition and the building is presently in a delapidated condition. Further, there appears to be no immediate prospect of repair works being carried out due to indifference of the authority. In these circumstances, he wishes to sell the flat to Mr Ashwini Gupta, R/o District Agra for Rs. 39,00,000/-. He is not related to the buyer in any manner and no case is pending in his court in which the proposed buyer is a party. (Copy of 'Sale Deed' can be seen as attachment). He has no personal interest attached to the buyer except to the extent of a seller and buyer with regard to this specific transaction only. Therefore, he has humbly requested the Honorable court to grant him permission to sell the aforesaid flat so as to save its value from further devaluation and depreciation.

In this connection it is submitted that the relevant Rule 24(1) of U.P. Government servants' conduct Rule, 1956, applicable in this case, speaks as under-

"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."

May, therefore, if approved, the file be laid before Hon'ble Mr. Justice Narendra Kumar Johari, Administrative Judge, Hathras, also nominated for "Disposal of the matters of Judicial Officers, wherein permission/information for sale or purchase of movable/ immovable property and permission/information to accept gift under U.P. Government Servants' Conduct Rules 1956", for the District Hathras, for His Lordship's kind perusal and if His Lordship approves, Sri Ajay Kumar-I, Additional District & Sessions Judge, Hathras be granted permission to sell flat no. BT-2/602, measuring 142.17 sq. m., in residential apartment of ADA, Height scheme situated at Tej Nagari, Phase-II, Fatehabad Road, Agra to Mr Ashwini Gupta, R/o District Agra for Rs. 39,00,000/- as requested, subject to the condition that the relevant papers in connection with the sale transaction shall be furnished immediately on completion of the transaction?

Munmun Narang R.O.

Mohd. Arshad A.R.

Hon'ble Mr. Justice Narendra Kumar Johari,
Administrative Judge, Hathras

Submitted for kind perusal & order

I/c Joint Registrar (Judicial) (Budget)