

## **I/c Joint Registrar (Judicial) (Budget)**

May kindly see the online application of Sri Ayaz Ahmad, Principal Judge, Family Court, Unnao regarding grant of permission to visit Makkah and Madina to perform Holy Hajj alongwith his wife and his son tentatively in June-July 2022.

In his application, Sri Ayaz Ahmad has stated that he wants to perform HAJJ alongwith his wife Smt. Umme Habiba and son Mohammad Saalim and for that he needs to visit Makkah and Madina in Kingdom of Saudi Arabia in this year, which would be held in the month of July 2022. Thereafter, through online objection, the officer has been asked to submit declaration regrading Hon'ble Court's C.L. dated 27.05.2017 and other details. In reply, the officer has submitted following declarations:-

1. There would be no possibility of arising any dilemma before Government of India or U.P. due to his foreign visit of Makka and Madina of kingdom of Saudi Arabia.
2. Before this he has not applied for visit of kingdom of Saudi Arabia, therefore no such request has ever been refused.
3. He has not visited any foreign country till now.
4. Actual date would be announced shortly by U.P. State Hajj Committee and the tentative date is in between 31.05.2022 to 16.06.2022; for departure and about 40 days stay in Saudi Arabia and then return would be in between 12.07.2022 to 28.07.2022 as declared by U.P. State Hajj Committee, which would be communicate as soon as possible.
5. The estimated expenditure of the visit is about 12 lakhs and source of earning is his salaried income and saving deposit of his wife Umme Habiba and Mohammad Saalim (copies of passbooks can be seen as attachments). He has also added that the aforesaid deposits would be sufficient to born the above Hajj expenses and besides this his postal life insurance claim of is 10 lakh is matured and date of maturity is 16 June 2022 (realting papers and copy of passport can be seen as attachments) .

He has, therefore requested for grant of permission to visit Makkah & Madina in Saudi Arabia to perform Hajj alongwith his wife and son for the aforesaid period.

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 Sri Ayaz Ahmad. As per the point no. (1) of Hon'ble High Court's Circular Letter No. 16/ IV-f-101/ Admin (A)/ dated 27.05.2017, Abroad tour by any officer shall not be availed of during working days of the Hon'ble 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. Now, in the instant case, the officer wants to perform Hajj alongwith his wife and son for a period of 40 days tentatively from Mid June to July last which includes working days alongwith the recess but it appears that this tour fall under the category of such tours which are sponsored and/or approved by the state/central government during certain fixed span of time & does not fall during vacations, thus it appears to be considerable as per point no. 1 of Hon'ble Court's C.L. no. 16/IV-f-101 /Admin (A) Dated 27.05.2017. Now, It is on the discretion of the Hon'ble High Court either to grant him permission or to pass any such order which deems to be proper. In this connection it is also submitted that in the Hon'ble High Court's Circular Letter dated 27.05.2017, it has been settled that for the purpose of grant of such permission the competent authority for the judicial officers is Hon'ble the Administrative Judge of the District concerned, for the Judicial officers posted in judgeship or on the District of any deputation post, subject to approval by Hon'ble the Chief Justice or any member of the Administrative Committee authorised by the Hon'ble the 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 place.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice Piyush Agrawal, Administrative Judge, Unnao for kind perusal and if His Lordship approves, Sri Ayaz Ahmad, Principal Judge, Family Court, Unnao may be granted permission to visit Makkah & Madina in Saudi Arabia to perform Hajj alongwith his wife and son tentatively in between from 31.05.2022 to 16.06.2022 (for departure) to 12.07.2022 to 28.07.2022 (for return) for the period of 40 days, 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 proper charge of Government records or cash, if any, or any government property with him, may be handed over by him before proceeding abroad?

Or

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

Archana Awasthi

Review Officer

Mohd. Arshad

Assistant Registrar

**Hon'ble Mr. Justice Piyush Agrawal,**

**Administrative Judge, Unnao**

Submitted for kind perusal & order

I/c Joint Registrar (Judicial) (Budget)

