

I/c Joint Registrar (J) (Budget)

May kindly see the online application received from Sri Brijesh Kumar Yadav, Additional District Judge, FTC, Bareilly by which he has requested for grant of permission to purchase free hold plot no. D-129, ad measuring 208.20 sq. m., in its "Garden City" situated at village Pursoni, Tehsil Mohanlal Ganj, Distt. Lucknow.

In his application, the officer has stated that he does not own any immovable property & thus intends to purchase free hold plot no. D-129, ad measuring 208.20 sq. m., in its "Garden City" situated at village Pursoni, Tehsil Mohanlal Ganj, Distt. Lucknow in his name for which he seeks permission of the Hon'ble Court. In this context, he has approached to DLF Ltd., a company incorporated under the Companies Act 1956, having its registered office at DLF Shopping Mall 3rd floor, Arjun Marg, D.L.F., City Phase-I, Gurgaon. Furthermore DLF Ltd. is ready to transfer the said plot by way of sale after due consideration. The original allottee Mr. Sudhir Katariya, 22/117 Ground floor, west Patel Nagar, New Delhi is ready to relinquish his interest in favour of D.L.F and regarding this an agreement to transfer has been executed. The officer 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 plot.

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

1.	Date of joining service	20/04/09
2.	Present Gross Salary Take home Salary	Rs. 1,80,473/- Rs. 1,34,086/-
3.	Details of purchases (Moveable property exceeding to value of Rs. 10,000/-and immovable property) made by the officer earlier.	Maruti Zen Estilo car purchased in the year 2010
4.	Details of Advance or Loan taken from the High Court	Nil
4.	Details of loan taken from Bank etc.	Nil
5.	Details regarding purchase of second hand car.	N.A.
7.	(a) Details of the property proposed to be purchased	Plot no. D-129, ad measuring 208.20 sq. m., in its "Garden City" situated at village Pursoni, Tehsil Mohanlal Ganj, Distt. Lucknow (copy of 'Agreement Deed' can be seen as attachment)
	(b) Cost price	Rs. 41,21,000/-
8.	Name and address of the seller(s)	D.L.F. Ltd., having regd. office at D.L.F. Shopping Mall, 3rd floor, Arjun Marg, D.L.F. City, Phase-I, Gurgaon
9.	Status of the Seller /Dealer	Regular & Reputed
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.

11.	Details of source of amount	<p>Rs. 5,00,000/- is stated to have been paid as earnest money to the first allottee.</p> <p>Rs. 1,001/- is stated to have to been paid as earnest money.</p> <p>Rs. 98,990/- & Rs. 4,00,000/- are also stated to have been paid out of his own S.B. A/c (copy of statement of A/c can be seen as attachment).</p> <p>Rest Rs. 36,21,009/- will be paid by taking home loan from PNB, Lucknow of Rs. 36,21,000/- & Rs. 1,78,991/- have to pay for DLF Ltd. as other charges (Total 38,00,000/-). Thus, the total loan amount is Rs. 38,00,000/- repayable in 240 EMIs of Rs. 31,080/- (Copy of 'Loan Arrangement Letter' can be seen as attachment)</p>
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In this connection, it is submitted that although the officer has stated that D.L.F. Ltd. is the sole owner of the said plot and the sale will technically done by D.L.F. Ltd. to the officer directly, but as in the instant case, this transaction includes a private person in between, he has applied for prior permission before the execution of sale deed of the same.

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."

May, therefore, if approved, the matter be laid before Hon'ble Mr. Justice Ashwani Kumar Mishra, Administrative Judge, Bareilly, also nominated for "Disposal of the matters of the 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 Bareilly, for His Lordship's kind perusal and if His Lordship approves, Sri Brijesh Kumar Yadav, Additional District Judge, FTC, Bareilly may be granted permission to purchase free hold plot no. D-129, ad measuring 208.20 sq. m., in its "Garden City" situated at village Pursoni, Tehsil Mohanlal Ganj, Distt. Lucknow for Rs. 41,21,000/- which was originally leased by D.L.F. Ltd. to one Mr. Sudhir Katariya, 22/117 Ground floor, west Patel Nagar, New Delhi 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.

Hon'ble Mr. Justice Ashwani Kumar Mishra,

Administrative Judge, Bareilly

Submitted for kind perusal & order

I/c Joint Registrar (Judicial) (Budget)