

I/c Joint Registrar (Judicial) (Budget)

May kindly see the online application of Sri Pratyush Gupta, Additional Civil Judge (Junior Division), Kasganj regarding grant of permission to visit Maldives alongwith his would be wife after his wedding for a vacation from 13.02.2023 to 16.02.2023.

In his application, Sri Pratyush Gupta has stated that he is getting married on 8th Feb 2023, and thereafter wants to go on holiday to a foreign country i.e. Maldives in the month of February 2023 from 13th to 16th February 2023. He has also stated that on the trip he would accompany her would be wife, who is also a Judicial Officer of U.P. Judicial Services. He has also added that he has never been to any foreign country since his date of joining i.e. 18.11.2019 and also has a valid passport (No. T9082064 issued by Regional Passport Officer Ghaziabad on 16.09.2019. The expenses of the proposed foreign trip would be borne by him and his would be wife respectively. He has also intimated about the source of expenditure and stated that his saving account number 038953309365 has a balance of Rs. 51700/-, also has a fix deposit of Rs.1,00,000/- (A/c No. 00000041254733409) with SBI and a fix deposit with Punjab National Bank of Rs. 2,65,000 (A/c No. 656200PU00004503), all maturing at the end of this year (copy of the same can be seen as attachments and the same shows sufficient balance required for the trip). Proposed expenses of the foreign travel as suggested by the Travel Agent is Rs. 45000 per person (relating papers can also be seen as attachments). She has also submitted her declaration which are as follows:-

1. That by his abroad visit, no dilemma is likely to create before the Government of India or before Government of Uttar Pradesh.
2. That such type of request for abroad visit was not refused to him earlier.
3. That he has never visited any foreign country before or after his joining.

Thereafter, through online objection, the officer was asked to clarify his position and his submission as his proposed tour period does not falls during any vacations/ official holidays. In reply, the officer has stated that as he is getting married in the month of February 2023 and would be on earned leave in that month. Furthermore he has stated that he wants to visit foreign country on the proposed dates i.e. 13th to 16th February 2023 for Honeymoon and as this is once in a lifetime visit after marriage therefore, he has humbly requested to Hon'ble High Court to please consider the same for the permission for which he would be highly obliged.

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 Pratyush Gupta. It is pertinent to mention here that the duration of his visit is from 13.02.2023 to 16.02.2023 i.e. about 04 days, which includes working days and as stated by the officer that he would be taking earned leave for his wedding and wants to visit Maldives with his would be wife post marriage, thus this trip appears to be a pleasure trip. 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. In the instant case the officer has stated that he wants to visit foreign country on the proposed dates i.e. 13th to 16th February 2023 for Honeymoon and as this is once in a lifetime visit after marriage therefore he has requested for permission of the same. Now its upto the discretion of Hon'ble The Chief Justice and Hon'ble Administrative Judge, Kasganj either as a special case, to grant him permission to visit Maldives from 13.02.2023 to 16.03.2023 alongwith his future wife or to pass any other order. 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 Manish Kumar, Administrative Judge, Kasganj for kind perusal and if His Lordship approves, as a special case, Sri Pratyush Gupta, Additional Civil Judge (Junior Division), Kasganj may be granted permission to visit Maldives alongwith his would be wife after his wedding for a vacation tentatively from 13.02.2023 to 16.02.2023, as requested, subject to approval by Hon'ble Mr. Justice Pritinker Diwaker, Senior Judge (J-1), 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 Manish Kumar,

Administrative Judge, Kasganj

Submitted for kind perusal & order

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