

Registrar(J)(Budget)

May kindly see the online application of Sri Sarad Kumar Tripathi, Special Judge (E.C. Act), Jaunpur regarding information about purchase/allotment of Chamber No. IB10, First floor, New Adhivakta Bhavan, Civil Court, Kanpur with his co-sharer Sri Rajendra Tripathi, Advocate.

The information regarding allotment/purchase of Chamber, 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	05.07.2021
2.	Present Gross Salary	Rs. 1,55,957/-
3.	Details of purchases (Moveable property exceeding to value of Rs. 10,000/- and immovable property) made by the officer earlier	Chamber No. IB10, First floor, New Adhivakta Bhavan, Civil Court, Kanpur
4.	Details of Advance or Loan taken from the High Court	NO
5.	Details of loan taken from Bank etc.	NO
6.	Details regarding purchase of second hand car	NO
7.	a) Details of the property purchased	Chamber No. IB10, First floor, New Adhivakta Bhavan, Civil Court, Kanpur
	(b) Cost price	Rs. 20,50,000/-
8.	Name and address of the seller(s)	Sri Rajeev Kumar Dwivedi, Advocate, R/o 127/735 W-1, Saket Nagar, Kanpur
9.	Status of the Seller /Dealer	Private Person
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	<ul style="list-style-type: none">• Rs. 10,25,000/- is stated to have been paid by him (copy of transaction can be seen as attachment)• Remaining Rs. 10,25,000/- is stated to have been paid by his co-sharer (Sri Rajendra Tripathi, Advocate)

It is pertinent to mention here that the officer joined the U.P.H.J.S. on 24.03.2021 and from available papers, it has come to knowledge that during his Advocacy period, he had been allotted a Chamber No. 19, 1st Floor, Babu Lal Mishra Adhivakta Bhawan, 10 x 8, Civil Court, Kanpur Nagar with his co-sharer Sri Naman Gupta in the year 2015 by the Kanpur Bar Association, Civil Court,

Kanpur and that has been sold to his co-sharer Sri Naman Gupta (Advocate) for a sale consideration of Rs. 12,00,000/-, as intimated by him through his another application/ Case ID no. S00024252022, which has already been processed and submitted to Hon'ble Mr. Rajeev Misra, Administrative Judge, Jaunpur. Here in this application/Case Id no. through which the officer has intimated about purchase of another chamber at Kanpur District Court after sale of his old chamber, he has been asked to clarify the purpose of purchase/allotment of chamber no 1B10 situated New Building Civil Court Compound, Kanpur and also to inform that as to whether he is eligible to get allotted the said chamber, when he is not a practicing Advocate and joined U.P.H.J.S. He was further asked to furnish supporting documents about ownership/transfer of the said chamber. In reply of this, the officer has stated that the main purpose of the chamber allotment is for the future prospects of the children and also due to challenge of his appointment in Civil Misc. Writ Petition No. 6112/2021, which is pending in Hon'ble High Court, Allahabad, and Civil Appeal 3947 of 2020 in Hon'ble Supreme Court. He further stated that the concerned Bar Association allotted the Chamber without any objection even though he has joined U.P. H.J.S.(copy of allotment can be seen as attachment)

It is also noteworthy to mention here that the officer purchased/get allotted the said chamber from Kanpur Bar Association after getting NOC from the previous allottee Sri Rajiv Kumar Bharti. It is submitted that as per Rule 24 of U.P Government's Servant's Conduct Rule- 1956 if a Government servant/ Judicial Officer proposes to purchase an immovable from a private person, or to get any property in such light, it is imperative for the officer to obtain prior permission of this Hon'ble Court under Rule- 24 (1) of U.P. Government Servant's conduct Rule-1956, but he has not taken any prior permission of this Court before purchase/ allotment of the Chamber and also as there is something different situation involved when a Judicial officer gets an allotment of a chamber meant for Advocates. Rule 24(1) of U.P. Government's Servant's Conduct Rule-1956 appears to be violated, which runs as follows:-

“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 Rajeev Misra, Administrative Judge, Jaunpur, for His Lordship's kind perusal & order for acceptance of information about purchase/get allotment of Chamber No. IB10, First floor, New Adhivakta Bhavan, Civil Court, Kanpur by Sri Sarad Kumar Tripathi, Special Judge (E.C. Act), Jaunpur from his previous allottee Sri Rajeev Kumar Dwivedi for a sale consideration of Rs. 10,25,000/- (his share)?

Or

Any other order which His Lordship likes to pass.

Munmun Narang, S.O.

Meetu Verma, A.R.

Hon'ble Mr. Justice Rajeev Misra,

Administrative Judge, Jaunpur

Submitted for kind perusal & orders?

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