

Registrar (J)Budget)

May kindly see the online application of Sri Sudhanshu Shekar Upadhyay, Chief Judicial Magistrate, Ghaziabad, regarding information about sale of his old Alto 800 VXI car bearing reg. no. UP62 BE0202, intimated through his application dated 13.10.2022.

Through his application, Sri Sudhanshu Shekar Upadhyay has stated that he was the owner of an old Alto 800 VXI car bearing reg. no. UP62 BE0202, which has been sold to Amar Bahadur Singh S/o Shri Mangla Prasad Singh R/o House no. 99, Village- Tevkhar, Post- Rangdeeh, Block and Tehsil- Marteenganj, PS- Saraimeer, Azamgarh on 04.10.2022 for Rs. 1,50,000/-. (copy of notary affidavit, RC & copy of statement of A/c of the officer as well as Amar Bahadur Singh can be seen as attachment). Thus, the officer has been asked to clarify as to why he has sold his Alto 800 car to a private person namely Amar Bahadur Singh S/o Shri Mangla Prasad Singh R/o House no. 99, Village- Tevkhar, Post- Rangdeeh, Block and Tehsil- Marteenganj, PS- Saraimeer, Azamgarh without obtaining prior permission of the Court and thus violated the provisions of Rule 24 (2) of U.P. Government Servant's Conduct Rules 1956. The officer has submitted that the car was sold without obtaining prior permission of Hon'ble Court under wrong impression that mere intimation would suffice, as in the case of purchase earlier mere intimation was found to be sufficient. Yet he seeks unconditional apology for his ignorance of the rules and resultant unintentional mistake in selling the car without prior permission to his childhood friend Sri Amar Bahadur Singh S/o Sri Mangala Prasad Singh, who is a person known to him from his school days. Thus, he has requested to kindly accept his unconditional apology and regularize the matter by granting post facto permission for the sale of his old alto 800 Car. The officer has therefore, intimated about the sale of his old car for kind perusal of this Hon'ble Court.

In this connection, it is submitted that the relevant rule relating to transfer of movable property [Rule-24 (2) of U.P. Government Servant's conduct Rule-1956] runs as under: 24 (2)

"A Government servant who enters into any transaction concerning any movable property exceeding in value, the amount of his basic pay for one month, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the appropriate authority.

Provided that no Government servant shall inter into any such transaction except with or through a reputed dealer or agent of standing, or with the previous sanction of the appropriate authority."

The circumstances under which the officer has sold his old car is on acceptance of the competent authority here & the case is to be considered for grant of ex-post facto permission for the sale for regularization of the matter, which is on discretion of the Hon'ble Court.

Under the facts & details mentioned above and as the officer has sold his old car to a private person, requested for ex-post facto permission on account of the above mentioned conditions, if approved, the matter may kindly be laid before

Hon'ble Mr. Justice Saumitra Dayal Singh, Administrative Judge, Ghaziabad 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 Ghaziabad, for His Lordship's kind perusal and information/grant of ex-post facto permission for sale of old Alto 800 VXi car by Sri Sudhanshu Shekar Upadhyay, Chief Judicial Magistrate, Ghaziabad under Rule 24 (2) of U.P. Govt. Servant's Conduct Rules, 1956?

Vipin Yadav R.O

Munmun Narang S.O

Meetu Verma A.R

Hon'ble Mr. Justice Saumitra Dayal Singh,
Administrative Judge, Ghaziabad

Submitted for kind perusal & orders?

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