

I/c Joint Registrar (Judicial) (Budget)

May kindly see the online application of Sushri Tanaya Gupta, Civil Judge (Junior Division) (Fast Track Court), Varanasi regarding grant of permission to visit Maldives alongwith her husband after her wedding for a vacation tentatively from 11.12.2022 to 18.12.2022.

In her application, Sushri Tanaya Gupta has stated that she is getting married this year in December and planning to visit Malaysia with her would be husband during 11.12.2022 to 18.12.2022 and also has a valid passport (copy of passport can be seen as attachment). Thereafter, the officer was asked to intimate the expenditure and it's source and also necessary declarations and clarification in the light of Hon'ble Court's Circular letter dated 27.05.2017 . In reply, the officer has submitted following declarations/ clarification:-

1. Due to her visit to Malaysia, no dilemma is likely to create before the Government of India or Uttar Pradesh.
2. No such request was ever refused to her.
3. She has not visited any foreign country earlier.
4. The estimated expenditure is around Rs.1,75,000/- and the officer and her husband would bear the expenses out of their salary savings (copy of passbook can be seen as attachment).
5. She has also stated that she would be on earned leave for a period of one month due to her marriage and the proposed period of her foreign visit falls within that duration and added that It is once in a lifetime opportunity and it cannot be postponed.

She has, therefore, humbly requested to Hon'ble High Court to grant her permission for the aforesaid visit.

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 Sushri Tanaya Gupta. It is pertinent to mention here that the duration of her visit is from 11.12.2022 to 18.12.2022 i.e. about 08 days, which includes all working days except Sunday and as stated by the officer that she would be taking earned leave for her wedding and wants to visit Malaysia with her would be husband 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 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 she wants to visit foreign country (Malaysia) on the proposed dates i.e. 11th to 18th December 2022 for Honeymoon and as this is once in a lifetime visit after marriage therefore she has requested for permission of the same. Now its upto the discretion of Hon'ble The Chief Justice and Hon'ble Administrative Judge, Varanasi either as a special case, to grant her permission to visit Malaysia from 11.12.2022 to 18.12.2022 alongwith her would be husband 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 Dr. Justice Kaushal Jayendra Thaker, Administrative Judge, Varanasi for kind perusal and if His Lordship approves, as a special case, Sushri Tanaya Gupta, Civil Judge (Junior Division) (Fast Track Court), Varanasi may be granted permission to visit Malaysia alongwith her future husband after her wedding for a vacation tentatively from 11.12.2022 to 18.12.2022, 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 her, may be handed over by her 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 Dr. Justice Kaushal Jayendra Thaker,

Administrative Judge, Varanasi

Submitted for kind perusal & order

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