

I/c Joint Registrar (J) (Budget)

May kindly see the online application received from Smt. Mirza Zeenat, Additional Principal Judge, Family Court, Sant Kabir Nagar regarding grant of permission to sell 1/4 part of her paternal property i.e. Gata no. 279, measuring 0.05350 (her share 0.066875) which has been obtained by her along with other co-sharers after the death of her father.

In her application, Smt. Mirza Zeenat has stated that she is the co-owner of one of her paternal property Gata no. 279, measuring 0.05350 (her share 0.066875) which has been acquired through inheritance on her father's death in the year 2011. Since then she is furnishing particulars of her share as owner in this agricultural land in her previous property statements This land is in joint ownership of her Mother Salma Khatoon, Brother Arbab Sayed Beg and Sister Eram Fatima. She was the co-sharer of ¼ portion. This land is situated in Village-Sirauli, Tehsil-Mahmoodabad, Distt. Sitapur. Because of long distance they were not able to maintain this land very well. Hence they (all co-sharers want to sell this land, Mr. Sadiq Hussain, S/o Hamid Hussain R/o H.N. 536/2/91, Sitapur Road, Awadh Vatika, Madehganj, Lucknow is agreed to purchase this land for Rs. 12,00,000/-. The proposed purchaser is not related to her in any way and his case is not ever pending or decided in her court. The area to be sold is only 0.268 hectare & as per her share, she will get Rs. 3,00,000/- as co-sharer of 1/4th only. The stamp duty over the agreed consideration amount will be approximate Rs. 96,000/- which will be paid by the buyer concerned. Copy of Khatauni can be seen as attachment. She has, therefore, requested that the matter be placed before the Hon'ble Court for permission to sell her portion of the aforesaid land to the said purchaser.

In this connection, it is submitted that the plot in question has been acquired by the officer as parental property after the death of her father. 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 file kindly be laid before Hon'ble Mr. Justice Om Prakash Tripathi for His Lordship's kind perusal and if His Lordship approves, Smt. Mirza Zeenat, Additional Principal Judge, Family Court, Sant Kabir Nagar be granted permission to sell 1/4 part of her paternal property i.e. Gata no. 279, measuring 0.05350 (her share 0.066875) to Mr. Sadiq Hussain, S/o Hamid Hussain R/o H.N. 536/2/91, Sitapur Road, Awadh Vatika, Madehganj, Lucknow for Rs. 12,00,000/-, alongwith joint ownership of her Mother & two siblings and to receive the sale price (i.e. Rs. 3,00,000/-) against her 1/4th share in the property as requested, subject to the conditions that she should submit the relevant details and papers of the transaction after its completion?

Nekahat Ayasha

Joint Registrar Admin (Misc.)

Munmun Narang

Section Officer

30.01.2023

Hon'ble Mr. Justice Om Prakash Tripathi,

Administrative Judge, Sant Kabir Nagar

Submitted for kind perusal & orders?

I/C Joint Registrar(Judicial)(Budget)

02.02.23

