

Registrar (Judicial) (Budget)

May kindly see the online application of Sri Ahmad Ulla Khan, Principal Judge, Family Court, Aligarh regarding grant of permission to visit Saudi Arabia to perform Hajj tentatively between 10th June 2023 to 12th July 2023 (expected period would be of 30-32 days).

In his application, Sri Ahmad Ulla Khan has stated that he has obtained an international passport no. U2014229 with the prior permission of the Hon'ble High Court and he is arranging the visit of Saudi Arabia for performing "Hajj" through reputed tour planner with his spouse (copies of Passports can be seen as attachment). He has also stated that the actual "Hajj" programme has not yet been intimated to him till date, and from the website of the Hajj Committee of India, he has come to know that the pilgrims would start to fly by 10.06.2023 and for tickets, fooding, lodging & other expenses would be approximately of Rs. 6,00,000/-. He would arrange amount from the savings account of his salary. Thereafter, through online objection, the officer has been asked to attach his passbook and also asked about the dates of the visit. In reply of the same, the officer has enclosed the copy of passbook, which can be seen as attachment, showing MOD amount of Rs. 22,91,567/- and about the dates the officer has submitted that the exact date of departure and return is not provided by the concerned till now but the tentative dates of departure and return are 10th June 2023 to 12 July 2023 (30-32 days approx.) and also noted that the dates are not final and there could be a delay of 2-3 days in departure or return.

The officer has also submitted following declarations/ information, which are as follows:-

1. There is no possibility of arising any embarrassing position before the Government of his country or his State due to his visit to Saudi Arabia, because he is going there, for a religious purpose and would avail earned leaves for aforesaid period.
2. He has never made any such request in the past and as such no such type of request ever refused to him.
3. He has never visited any foreign country till now.

He, has therefore requested to Hon'ble Court to grant him permission to visit Saudi Arabia alongwith his spouse in order to perform Hajj there.

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 Ahmad Ulla Khan. It is pertinent to mention here that the tentative duration of his visit is between 10th June 2023 to 12 July 2023 (expected period would be of 30-32 days), which includes working days of the Hon'ble Court except Summer vacation, Sunday and Second Saturday holiday and the officer has stated that he wants to visit Saudi Arabia for performing Hajj there, thus this trip appears to be religious in nature. 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. It is also pertinent to mention here that as he wants to perform "Hajj", tentatively between 10th June 2023 to 12th July 2023 (expected period would be of 30-32 days), which appears to be state sponsored tour, thus as per point no. (1) of Hon'ble Court's C.L. no. 16/IV-f-101 /Admin (A) Dated 27.05.2017, as quoted above, his request for this tour appears to be considerable. Now its upto the discretion of Hon'ble The Chief Justice and Hon'ble Administrative Judge, Aligarh; either as a special case, to grant him permission to visit Saudi Arabia for performing Hajj there; tentatively between 10th June 2023 to 12th July 2023 (expected period would be 30-32 days) 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. Recently, vide order dated 23.04.2023 regarding reconstitution of different Committees, Hon'ble The Chief Justice has been pleased to form a single Hon'ble Judge Committee i.e. Hon'ble Senior Judge (J-1) to deal with the matter of grant of permission to Judicial Officers to visit abroad

May, therefore, if approved, the instant matter may be laid before Hon'ble Mrs. Justice Sangeeta Chandra, Administrative Judge, Aligarh for kind perusal and if Her Lordship approves, Sri Ahmad Ulla Khan, Principal Judge, Family Court, Aligarh may be granted permission, as a special case, to visit Saudi Arabia to perform Hajj tentatively between 10th June 2023 to 12th July 2023 (expected period would be of 30-32 days) alongwith his spouse, as requested, subject to approval by Hon'ble Mrs. Justice Sunita Agarwal, 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 23.04.2023 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 Her Lordship deems fit and proper.

Avanish Kr. Jaiswal, Joint Registrar (Admin. Misc.)
Vivek Kumar Srivastava, Deputy Registrar (Admin Misc-I)
Meetu Verma, Assistant Registrar
Munmun Narang, Section Officer
Archana Awasthi, Review Officer
Admin A-IV

Hon'ble Mrs. Justice Sangeeta Chandra,

Administrative Judge, Aligarh

Submitted for kind perusal & orders?

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