

## **Registrar (Judicial) (Budget)**

May Kindly see the online application of Sushri Hershika Rastogi, Addl. Civil Judge (Junior Division), Hathras by which she has requested for grant of permission to visit Arizona in United States of America (U.S.A.) from 22.10.2023 till 15.11.2023 i.e during Dussehra and Diwali Festival to meet her brother there.

In this connection, it is submitted that earlier through her application the officer has requested for grant of permission to visit United States of America along with her mother from 22.10.2023 till 15.11.2023 i.e during Dussehra and Diwali Festival (22.10.2023 is Sunday, 23.10.2023 and 24.10.2023 have been declared as official holidays on account of Dussehra, 28.10.2023 is Fourth Saturday, 29.10.2023 is Sunday, 05.11.2023 is Sunday and 11.11.2023 to 15.11.2023 have been declared as official holidays on account of Diwali) to meet her brother Aakash Rastogi; who works as Software Engineer in Mc Donald's Corporation and resides in State Arizona and the matter was submitted before Hon'ble Mr. Justice Manish Kumar, Administrative Judge, Hathras vide online office note dated 19.08.2023, upon which His Lordship has been pleased to order dated 28.08.2023, which is as follows:-

***"The Judicial Officer is required to produce the following details:-***

***(i) Medical report of the brother to whom she wishes to meet in U.S.A.***

***(ii) Is there any other family members, who could go to U.S.A.***

***(iii) Bank details from which the tickets are to be purchased.***

***Let the aforesaid information be provided at the earliest."***

Thereafter, through online portal, Hon'ble Court's order was communicated to the officer. In reply, the officer has submitted following information:-

I. That her real brother Aakash Rastogi is still unmarried and lives alone in State Arizona and he hasn't been in India for the last few years because his H1B Visa couldn't be approved by the Department of States in USA. He has been diagnosed with medical condition related to inflammation and skin infection along with subcutaneous tissue which causes abscess in different parts of bod (relating papers can be seen as attachment) and due to above reasons he cannot travel to India and her mother feels the need to meet him desperately.

II. That there are total five members in the officer's family. Her father has been suffering from diabetes since year 2000 and has been advised not to travel much and her elder sister who is married has two small kids and marital obligations to perform. Her mother due to old age and health related issues cannot travel to USA alone. Hence, there is no member of her family except her who can go with her mother.

III. That though she would bear her own expenses from her salary and her mother would bear her own expenditure from her savings and is not dependent on the officer but round trip tickets would be purchased by her brother whose bank details are as follows:-

Name- Aakash Rastogi

Bank- JP Morgan Chase Bank

A/c No.- 763361208

Routing No.- 122100024, Country- USA

She has also added that it is very important for her to meet her brother who needs both mental and physical support at this point of time. She has, therefore, requested to kindly place her application before the Hon'ble Court for grant of permission to visit Arizona in U.S.A. to meet her brother there for the aforesaid period.

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, provided by concerned sections no vigilance/ departmental enquiry is pending against Sushri Hershika Rastogi. 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. Now, in the instant case the officer is going to visit Arizona, U.S.A. to meet her brother there from 22.10.2023 till 15.11.2023 i.e. the trip of the officer include sufficient working days of the Hon'ble Court alongwith Dashehra and Deepawali vacations but the officer has stated that her brother is not keeping well these days and hasn't been in India for the last few years. The round trip to U.S.A. takes around four days itself and the maximum number of vacations that judicial officers are entitled are ten days only. However, it is on the discretion of the Hon'ble High Court either to grant her permission or to pass any other order which deems to be proper.

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 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 Mr. Justice Manish Kumar, Administrative Judge, Hathras for kind perusal and if His Lordship approves:-

(a) Sushri Hershika Rastogi, Addl. Civil Judge (Junior Division), Hathras may be granted permission, as a special case, to visit state Arizona, United States of America (U.S.A.) from 22.10.2023 till 15.11.2023 to meet her brother there, as requested, subject to approval by Hon'ble Mr. Justice Surya Prakash Kesarwani, 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 her, may be handed over by her before proceeding abroad?

Or

(b) To pass any other order, which His Lordship deems fit and proper.

Meetu Verma, Assistant Registrar  
Munmun Narang, Section Officer  
Archana Awasthi, Review Officer  
Admin A-IV

**Hon'ble Mr. Justice Manish Kumar**

**Administrative Judge, Hathras**

Submitted for kind perusal & orders?

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