

Registrar (J) (Budget)

May kindly see the online application of Sri Nitish Kumar Rai, Additional District & Sessions Judge, Barabanki regarding grant of permission to sell property i.e. plot measuring 2040 Sq. Ft. situated at Mauja - Mauhisugharpur, Tappa- Haveli, Pargana- Haveli, Tehsil- Sadar, District - Gorakhpur along with his brother to one of his relative Sri Abhishek Kumar Rai (Brother-in-law).

In his application, Sri Nitish Kumar Rai has stated that a plot measuring 2040 Sq. Ft. situated at Mauja - Mauhisugharpur, Tappa- Haveli, Pargana- Haveli, Tehsil- Sadar, District - Gorakhpur was purchased in the name of his mother Late Smt. Vimla Rai on 16.12.1991 for Rs. 61,500/- from Sri Shadhu s/o Sri Sant Lal (Copy of 'Sale 'Deed' can be seen as attachment). After the death of his mother & his father Late A. K. Rai on 01.06.10 & 18.06.21 respectively, he and his brother Sri Krishna Kumar Rai inherited the property through succession. Now, both of them (the officer & his brother) want to sale the property to one of his relative Sri Abhishek Kumar Rai S/o Late Sri Ram Sewak Rai R/o Diwan Bazar Near D.A.V.P.G. College Gorakhpur for Rs. 70,00,000/- approximately excluding stamp duty and other charges. He has, therefore, requested the Court to grant him permission to sell the abovementioned property along with his brother to one Sri Abhishek Kumar Rai (brother-in-law).

In this connection, it is submitted that the said property is a paternal property. It is further submitted that in terms of Rule 24 (1) of U.P. Government's 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."

It is further submitted that under the provision of above rule, the permission, as requested by the officer may be granted, if the Hon'ble Court deem fit and proper.

May, therefore, if approved the matter be laid before Hon'ble Mr. Justice Shree Prakash Singh, Administrative Judge, Barabanki and if His Lordship's approves, permission be accorded to Sri Nitish Kumar Rai, Additional District & Sessions Judge, Barabanki to sell paternal property along with his brother i.e. plot measuring 2040 Sq. Ft. situated at Mauja - Mauhisugharpur, Tappa- Haveli, Pargana- Haveli, Tehsil- Sadar, District - Gorakhpur to Sri Abhishek Kumar Rai for Rs. 70,00,000/- approx. as requested, subject to the conditions that he should submit the relevant papers of the transaction after its completion?

Munmun Narang S.O.

Meetu Verma A.R.

Hon'ble Mr. Justice Shree Prakash Singh,
Administrative Judge, Barabanki

Submitted for kind perusal & orders?

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