

## **Registrar (J) (Budget)**

May kindly see the online application received from Sri Divesh Chandra Samant, Special Officer Vigilance, High Court, Prayagraj regarding grant of permission to sell agricultural land jointly held by him with his paternal uncles.

In his application, Sri Divesh Chandra Samant has stated that he is the co-owner of agricultural land i.e. Account No. 00230, Khasra No. 168, having a total Area 0.5910 Hectare, in which his 1/24th share is 0.0246 Hectare (0.0607Acre) situated at Village-Parsa Mutalika Alidapur, Pargana-Naugarh, Tehsil-Shohratgarh, District-Siddharthnagar jointly held by him with his paternal uncles. It has been decided to sell off this joint property to Sri Santosh Kumar S/o Sri Subhash Modanwal R/o Tola Ammarpur (Bankatwa), Post-Vishnupurwa, Birdpur no. 12, District-Siddharthnagar U.P. for a total consideration of Rs. 28,00,000/- including his share of Rs. 3,50,000/-. The purchaser Sri Santosh Kumar is not related and connected to him and neither any of his case has been dealt by him in his Court during his posting as an ADJ or DJ. He was never posted at Siddharthnagar. He has, therefore, requested that the matter be placed before the Hon'ble Court for permission to sell his share of the aforesaid land to the said purchaser along with his co-sharers.

In this connection, it is submitted that the said land in question has been acquired by the officer through inheritance. The said land is in the name of Late Dr. Prem Chandra Samant, Sri Dharm Chandra Samant, Sri Dheer Chandra Samant, Sri Vinod Kumar Samant all sons of Late Sri Keshari Narayan Samant, and others. The officer has also submitted documents of Khatauni and share determination, showing his name after mutation. The said property has been shown by the officer in the Revised Property Statement 2020-22 in Case Id no. P00008402023. 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."*

It is also noteworthy to mention here that normally such type of matters are submitted to Hon'ble the Administrative Judges concerned but as the officer is posted in this Hon'ble Court as Special Officer Vigilance, High Court, Prayagraj and as per resolution passed in the meeting of the Hon'ble Administrative Committee held on 12.07.2013, he is under the exclusive control of the Hon'ble The Chief Justice and as such the matter is likely to be placed before Hon'ble The Chief Justice.

May, therefore, if approved, the matter may kindly be laid before Hon'ble The Chief Justice for His Lordship's kind perusal, and if His Lordship approves, Sri Divesh Chandra Samant, Special Officer Vigilance, High Court, Allahabad be granted permission to sell agricultural land i.e. Account No. 00230, Khasra No. 168, total Area 0.5910 Hectare, in which his share is 0.0246 Hectare (0.0607Acre), situated at Village-Parsa Mutalika Alidapur, Pargana-Naugarh, Tehsil-Shohratgarh, District-Siddharthnagar jointly with his co-sharers i.e. his paternal uncles, to Sri Santosh Kumar S/o Sri Subhash Modanwal R/o Tola Ammarpur (Bankatwa), Post-Vishnupurwa, Birdpur no. 12, District-Siddharthnagar U.P. for a total sum of Rs. 28,00,000/- and to receive his share sum of Rs. 3,50,000/-, as requested, subject to the conditions that he should submit the relevant details and papers of the transaction after its completion?

Munmun Narang S.O.

A.K. Jaiswal, J.R., Admin. Misc.

## **Hon'ble The Chief Justice**

My Lord,

Submitted for His Lordship's  
kind perusal & order

Registrar (Judicial) (Budget)

