

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

May kindly see the online application of Sri Sanjay Kumar Malik, District & Sessions Judge, Siddharthnagar regarding grant of permission to visit Lumbani and Supa Devrali (Nepal) along with his family after Court's hours of 10.04.2024 to 11.04.2024.

In his application, Sri Sanjay Kumar Malik has stated that he wants to go to Lumbani and Supa Devrali (Nepal) alongwith his family after Court's hours of 10.04.2024 to 11.04.2024. He has also stated that Lumbini is the birth place of Gautam buddha and Supa Devrali; located near Siddharthanagar in Nepal has Mata Temple. He has also submitted his decalation / information as per Hon'ble Court's Circular letter dated 27.05.2017, which are as follows:-

1. That by his abroad visit to Nepal, no dilemma is likely to create before Government of India or before the Government of U.P.
2. That such type of request for abroad visit was not refused to him earlier.
3. That He has not visited any foreign country earlier.

He has, therefore requested to kindly place his application before Hon'ble Court for grant of permission to visit Lumbini and Supa Devrali (Nepal) along with his family for the aforesaid date/ period.

In this connection, it is submitted that 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 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 submitted that as per the reports of concerned sections no departmental/ vigilance enquiry is pending against Sri Sanjay Kumar Malik. In the instant case the officer wants to go to Nepal for pilgrimage purpose alongwith his family after Court's hours of 10.04.2024 to 11.04.2024, thus his visit includes only one day which appears to be 'Id-ul-fitra' holiday i.e. appears to be non working day of the Court. However, It is on the discretion of the Hon'ble High Court either to grant him permission or to pass any such 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 the Hon'ble the Chief Justice. Recently, vide order dated 30.11.2023 relating to re-constitution of Committees, Hon'ble The Acting Chief Justice has been pleased to change the single Judge Committee appearing at sl. no. 3 of the list of Committees dated 23.04.2023- last modified on 29.08.2023, and Hon'ble Mr. Justice Anjani Kumar Mishra is nominated in the said Committee, to deal with the matters relating to grant of permission to Judicial Officers to visit abroad.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice Subhash Chandra Sharma, Administrative Judge, Siddharthnagar for kind perusal and if His Lordship approves, Sri Sanjay Kumar Malik, District & Sessions Judge, Siddharthnagar may be granted permission to visit Lumbini and Supa Devrali (Nepal) along with his family after Court's hours of 10.04.2024 to 11.04.2024, as requested, subject to approval by single Judge Committee of Hon'ble Mr. Justice Anjani Kumar Mishra, as per Hon'ble High Court's Circular Letter No. 16/ IV-f-101/ Admin (A)/ dated 27.05.2017 and order dated 30.11.2023 of Hon'ble The Acting Chief Justice relating to re-constitution of Committees, as mentioned above with the conditions that he will enter Nepal territory through some custom check-post and get his luggage cleared by Custom Authorities and 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 His Lordship deems fit and proper.

Archana Awasthi,

Review Officer

Munmun Narang

Section Officer

Arvind Kr. Srivastava

Deputy Registrar, Admin (Misc.-I)

**Hon'ble Mr. Justice Subhash Chandra Sharma,**

**Administrative Judge, Siddharth Nagar**

Submitted for kind perusal & orders?

Registrar(Judicial)(Budget)

