

Joint Registrar(J)(Budget)

May kindly see the online application of Sri Mahesh Nautiyal, Additional District & Sessions Judge, Firozabad regarding information about transfer of Hyundai i-20 car from his father's name into his name.

In his application, Sri Mahesh Nautiyal has stated that his father Late Mamchand was retired H.J.S. Officer of Uttar Pradesh, He was retired on 31st December 2004. Continuingly, thereafter, he served as Addl. District Judge (F.T.C.) in Udham Singh Nagar (Uttaranchal). He served there for about 6 months. After that he was appointed chairman of Consumer forum by 31st December 2009. After retirement in the year 2013 he purchased (by his own resources) a vehicle Hyundai i-20 car bearing no. UP80CM1800 Registered on 02.05.2013 at R.T.O., Agra, the copy of the R.C. in the name of Late Mamchand can be seen as attachment. Unfortunately on 24.04.2019 he has died leaving behind three sons (heirs) only, namely himself (Mahesh Nautiyal), Rakesh Kumar Nautiyal, Engineer P.W.D. and Avanish Kumar Nautiyal, Advocate. In support of heirs a certificate of Varishan issued by the office of DM, Saharanpur dtd. 22.03.2020, copy of the same can be seen as attachment. Till the death of his father Late Mamchand, he was a bonafide pensioner. His younger brother Rakesh Kumar Nautiyal and Avanish Kumar Nautiyal have no objection to transfer the vehicle (Hyundai i-20 car) of his father in his name (Mahesh Nautiyal). In relation to No Objection, they submitted the Affidavits before R.T.O. Agra, copy of the same can be seen as attachment. On 19.08.2020 after considering the No-Objection of his younger brothers, the questioned vehicle bearing number UP80CM1800 officially transfer and registered at RTO officer Agra in the name of the officer in place of his father Late Mamchand. The officer has submitted information for kind perusal of Hon'ble Court.

In this connection, it is submitted that the aforementioned car appears to have been purchased by his father out of his own resources. It is further submitted that Rule 24 (2) of U.P. Government Servant's conduct Rule-1956 relating to transfer of movable property runs as under: -

24 (2). "A Government servant who enters into any transaction concerning any movable property exceeding in value, the amount of his

basic pay for one month, whether by way of purchase, sale or otherwise, shall forthwith report such transaction to the appropriate authority;

Provided that no Government servant shall inter into any such transaction except with or through a reputed dealer or agent of standing, or with the previous sanction of the appropriate authority."

In view of the above, the information so submitted by the officer is likely to be acceptable, as the car has been transferred to his son after the death of his father who is his legal heir, which is the closest blood relative. There appears to be nothing objectionable.

May, therefore, if approved, the file be laid before Hon'ble Mr. Justice Om Prakash-VII, Nominated Judge for disposal of the matters of Judicial Officers, of information/ permission of sale/purchase of movable/immovable property or gift etc., for the District Firozabad, for His Lordship's kind perusal and information under Rule 24(2) of U.P. Government Servant's Conduct Rules, 1956?

Munmun Narang R.O.

Mohd. Arshad A.R.

03.07.2021

Hon'ble Mr. Justice Om Prakash-VII,

Nominated Judge

Submitted for kind perusal & order

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