

2117
Deputy Registrar (M)

request-116

May kindly see the letter dated 13-07-2011 of Smt. Babita Rani, Additional District & Session Judge, Ramabai Nagar duly forwarded by the District Judge, Ramabai Nagar vide his endorsement no. 838/ XV dated 14-07-2011 regarding permission to appear in the Haryana Higher Judicial Service Examination-2009.

Smt. Babita Rani in her earlier letter dated 30-04-2011 (flagged 'B') had stated that before joining the U. P. Higher Judicial service, she had applied for the Haryana Higher Judicial Service Examination-2009. Therefore she has requested the Court to grant her permission to appear in the aforesaid examination and to issue 'No-Objection-Certificate in this regard. On receipt of her said letter, she was asked vide Court's letter dated 27-05-2011 (flagged 'D') to intimate the particular and furnish relevant papers of eligibility criteria, as to how she is eligible to apply for the post of Haryana Higher Judicial Service, as she has become a member of U.P. Higher Judicial service and to intimate the schedule date of preliminary/ Mains examination, if fixed in the mean time and to submit declaration that by appearing in the aforesaid examination, Judicial work will not suffer in any way.

Now, in reply, Smt. Babita Rani, vide her letter dated 13-07-2011 (flagged 'A') has informed that she had applied for the Haryana Higher Judicial Service Examination notified on 21-10-2009 in the year 2009 itself. At that time she was a practising lawyer, thereafter she joined U.P. Higher Judicial Service on 27-01-2011. Haryana Higher Judicial Service examination-2009 was notified on 22-10-09. It was not conducted that time & thereafter re- notified on 8 April 2011. She has further stated that in the notification dated 08-04-2011 it has been mentioned that the candidate who had filled the form in pursuance of notification dated 21-10-2009 need not apply again. As she had filled form for the said examination before joining U. P. Higher Judicial Service so she is eligible to appear in the said examination(copy of notification dated 8 April 2011 is flagged 'C'). Scheduled dated of Preliminary examination is to be held on 24-07-2011. She has also given her declaration to the effect that by appearing in the aforesaid examination judicial work will not suffer in anyway.

In this connection, it is submitted that Smt. Babita Rani had submitted her form of Haryana Higher Judicial Service Examination-2009 on 21-10-2009. Later on she became a member of U. P. Higher Judicial Service w.e.f. 27-01-2011 and presently posted as Additional District & Session Judge, Ramabai Nagar and at present she is no more a practicing Advocate. However, she is saying in continuation of Haryana Higher Judicial Service Examination, earlier notified on 21-10-2009 in the year 2009 has now been re-notified on 8-4-2011 and in the said notification it has been specifically mentioned that candidates who has filed the form in pursuance

.....2/

to notification dated. 21-10-2009 need no apply afresh. As she had filled form for the said examination before joining U.P.H.J.S., so she is eligible to appear in the said examination. She is eligible to appear in the said examination, She has also enclosed a copy of notification dated 8-4-2011, which may kindly be seen at flag 'C'. It is also noteworthy have that preliminary examination of Haryana Higher Judicial Service Examination-2009 was scheduled to be held on 24-07-2011 and there is a possibility that the officer may have appeared in the preliminary examination in anticipation of this Court's permission for the same., It is also not out of place to mention here that in note 1 of page 3 of notification dated 8-04-11 (flagged 'C') it has been mentioned- "The candidate who have already applied against 10 posts (5 from scheduled Caste Category, 2 from Backward Class category and 3 from General Category) advertised vide this Court's Notification No. 252 Gaz.1/VI.F.2 dated 21-10-2009 need not apply afresh. However, in respect of their candidature, the Syllabus, Format and Mode of Examination given in this notification shall apply in notification of earlier notification of earlier notification dated 21-10-2009." At point (b) of fulfilling conditions it has been mentioned that "he/she must have been duly enrolled as an Advocate and has practised for a period not less than seven years as on the last date of submission of applications i.e. 5.5.2011;"

May, if approved the matter may be laid before Hon'ble Mr. Justice Intiyaz Murtaza, Administrative Judge, Ramabai Nagar for his Lordship's kind perusal and orders?

Akshayam
26/01/2011,

Registrar (Budget) Sumar
26-0-11 A.R.

May kindly peruse the above note for grant of permission to Smt. Babita Rani, A.J.S, Ramabai Nagar to appear in the examination of Haryana HJS-2009, for which the details are as under:—

21-10-2009 --- Haryana HJS notified. She (Smt. Babita Rani) while practicing as Lawyer applied ^{as candidate} to appear in the said Exam.

27-1-2011 --- She joined in U.P. HJS as Addl. J.J.

8-4-2011 --- Haryana HJS re-notified in which it was mentioned that:—
N.B. The candidates who have already applied against advertisement dtd 21-10-09 need not apply afresh.

In view of above, she is eligible to appear in the Examination of Haryana HJS, because she joined U.P. HJS on 27-1-11.
Submitted for kind perusal & onward submission before Hon'ble the A.J., Ramabai Nagar for his Lordship's kind perusal & order to appear in the said Exam. or pass other orders as his Lordship's may deem fit & proper.

H
6-9-11
D.A.(M)