

D.R.(M)

Request - 112

May kindly see the Fax letter dated 30.9.2013, placed below at flag 'A' received from Miss Durgesh Nandni, Additional Civil Judge(Jr.Div.), Lucknow regarding grant of permission to appear in Viva – Voce examination of LL.M. Final year in Bundelkhand University, Jhansi.

Miss Durgesh Nandini submitted that she was studying in the LL.M. Final year and whose written examination was completed before joining her Judicial Service on 22.5.13. Now University has declared the date of Viva Voce examination of LL.M. Final Year On 03 October 2013. She has, therefore, requested for grant of permission to appear in the Viva-Voce examination of LL.M. Final year and stated that her Judicial work will not suffer in appearing the Viva-Voce examination of LL.M. Final year of Bundelkhand University, Jhansi.

In this connection it is stated that Miss Nandini has joined the U.P. Judicial Service on 22.5.13. There is circular letter dated 4.11.11 (flagged 'M') which provides that if any Judicial Officer during the course of her Service, requests to pursue higher studies, She has to apply for grant of 'Study Leave' as per rules which will be subject to the discretion of Hon'ble the Chief Justice. In the instant case, as the the Officer has to appear only in Viva-Voce examination of LL.M. , there appears to be no necessity to attend any regular classes. Her request may be considered with exemption for requirement to take study leave. However acceptance of her request is on the discretion of the Court. It is also submitted that a Judicial Officer can be accorded permission to attend academic classes and specialized higher studies in terms of G.O..No.24/1066-Appointment (B) dated 21.08.1967(copy at flag X), subject to the following conditions:-

- (1) Government work should not suffer in any way.
- (2) The academic classes are held outside office hours.
- (3) No preferential treatment will be given in the matter of leave, postings and transfer.
- (4) The permission can be withdrawn without notice if; it is found at any time that the government servant neglects her normal work or that public work suffers, in any way.

May, therefore, if approved, the file may be laid before Hon'ble the Chief Justice for His Lordship's kind perusal and if His Lordship approves :-

(a) Miss Durgesh Nandni, Additional Civil Judge(Jr.Div.), Lucknow be accorded permission to appear in Viva – Voce examination of LL.M. Final Year – in Bundelkhand University, Jhansi with exemption of the requirement to take study leave for the same, without entering into the fact whether the University is recognized by UGC or not and without reserving any future claim of the Officer regarding her qualification if the University is not recognized,

Or

(b) to pass any other order which His Lordship deem fit and proper.

Md. Akbar
01.10.2013

Registrar (Budget)

Submitted for kind perusal and if approved by Learned Registrar General the file may kindly be laid before Hon'ble the Chief Justice for His Lordship's kind perusal and orders as proposed at 'A' Or 'B' above.

Deeantau
1.10.13
D.R. (Misc.)

AKSOLIKER
01-10-2013

Sharma
01-10-13
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Registrar General

May kindly like to peruse above office note, If approved, the file may kindly be placed before Hon'ble the Acting Chief Justice for kind perusal and orders as proposed at 'A' or 'B'.

W/c Registrar (Budget)
01.10.13

Hon'ble the Acting Chief Justice

Submitted for kind perusal and approval as proposed at 'A' above.

1/10/13
Registrar General

A' approved
1/10/13

DR(M) / S.O. Adm A

1/10/13
DR(M) (B)

Sd/Adm. Au

1/10/13
DR(M)

W/c Registrar (Budget)

1/10/2013
Registrar General