

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

May kindly see the online application of Sri Vikas Kumar Verma, Civil Judge (Sr. Div.), Gautambuddha Nagar regarding grant of permission to do/pursue LL.M. Course through distance learning from Kurukshetra University.

In his application, Sri Verma has stated that he had taken admission in LL.M. course in September, 2016 at the Directorate of Distance Education, Kurukshetra University, Kurukshetra for 2016-2018 batch and was appointed as Additional Civil Judge (Jr.Div.) only on 18th January, 2017 at Ambedkar Nagar which is much ahead of him taking admission in LL.M. Course. He has also stated that the examination datesheet pertaining to 1st Year LL.M. was issued by the University sometime in the month of May, 2017 and thereafter he had written a letter on 05.05.2017 (can be seen as attachment) to the Hon'ble High Court seeking permission to appear in the examination, which was scheduled in May-June 2017. On receipt of his letter, a Court's letter dated 07.06.2017 (can be seen in the online misc. file of the officer) was sent to the officer by asking about his appearance and other details. In reply of the Court's letter the officer through his letter dated 19.03.2018 (can be seen in the online misc. file of the officer) has stated that he has appeared in the LL.M. 1st year examinations in anticipation of Court's permission and also stated that as the Course is to be done through correspondence, hence he would not be required to avail study leave and also through distance learning from Kurukshetra University does not require attending of day to day classes. He has also assured that judicial work will not suffer on account of pursuing this course but the same will be helpful in proper dispensation of his duties. Thereafter, again a Court's letter dated 11.04.2018 (can be seen in the online misc. file of the officer) was sent to the officer and now the officer has submitted his online reply and stated that the Course and the University is recognised by the UGC. A copy of letter issued by the University and the UGC can be seen as attachment. He has also added that as a candidate, he has to pass the whole examination (Previous as well as Final) within Five Years and the session 2020-2021 is the last year. He has also enclosed prospectus, recognition letters and other related papers, which can be seen as attachments. He has, therefore requested to the Hon'ble Court to pursue the course of LL.M. through distance learning.

In this connection, it is stated that Sri Verma has joined the U.P. Nyayik Sewa on 18.01.2017. It is also pertinent to mention here that as the officer has already appeared in the LL.M. 1st year examinations and passed the same and 2020-2021 is the last academic session for him to complete his final LL.M. Course as the complete Course is to be done within the five years. There is circular letter dated 4.11.11, which provides that if any Judicial Officer during the course of his Service, requests to pursue higher studies, he 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, the officer has stated that he would not take study leave for the said LL.M. Course, as this is to be done through distance learning his request appears to be considerable. However acceptance of his 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, subject to the following conditions:-

1. Government work should not suffer in any way.
2. The academic classes, if any 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 his normal work or that public work suffers, in any way.

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

(a) Sri Vikas Kumar Verma, Civil Judge (Sr. Div.), Gautambuddha Nagar may be granted ex-post facto permission for his appearance in the LL.M. 1st year examination, held In May-June 2017 as well as to pursue the final year of the LL.M. Course through distance learning (correspondence) from Kurukshetra University, Kurukshetra, Haryana, for the academic session 2020- 2021 with exemption of the requirement to take study leave for the same and without entering into the fact whether the University is recognised by UGC or not as well as without reserving any future claim of the Officer regarding his qualification if the University is not recognised and also subject to the conditions mentioned above.

Or

(b) To pass any other order which His Lordship deems fit and proper.

Archana Awasthi

Review Officer

Mohd. Arshad

Assistant Registrar

01.10.2020

**Hon'ble the Chief Justice**

My Lord,

Submitted for His Lordship's  
kind perusal & orders

Registrar(J)(Budget)  
7.10.20