

Registrar(J) (Budget)

May kindly see the online application of Smt. Nitya Pandey, Addl. Principal Judge Family Court, Lucknow regarding grant of permission to do/pursue LL.M. Course through distance learning from Kurukshetra University.

In her application, Smt. Pandey has stated that she wants to pursue LL.M. Course through distance learning from Kurukshetra University for the academic session 2020.-2021, wherein day to day classes are not mandatory. She has also assured that judicial work will not suffer on account of her pursuing this course, but the same will be helpful in proper dispensation of her duties. She has also stated that she would not be required to avail study leave for pursuing this course. She has also declared that she will not attend day to day classes for pursuing the Course (declaration can be seen as attachment). She has also enclosed prospectus of LL.M. Course as attachment. She has, therefore, requested for grant of permission to do/ pursue LL.M. Course through distance learning from Kurukshetra University.

In this connection, it is stated that Smt. Pandey has joined the U.P. Nyayik Sewa on 20.04.2009. There is circular letter dated 4.11.11, 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, the officer has stated that she would not take study leave for the said LL.M. Course, her request appears to be considerable. 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, 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 The permission can be withdrawn without notice if; it is found at any time that the government servant neglects her normal work or that public work suffers, in any way.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) Smt. Nitya Pandey, Addl. Principal Judge, Family Court, Lucknow may be granted permission to do/ pursue the LL.M. Course through distance learning from Kurukshetra University, Kurukshetra, Haryana, for the academic session starting from 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 her 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 deem fit and proper .

Archana Awasthi

Review Officer

Mohd. Arshad

Assistant Registrar

09.10.2020

Hon'ble the Chief Justice

My Lord,

Submitted for His Lordship's
kind perusal & order

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14.10.20