

Registrar (Judicial) (Budget)

May kindly see the online application of Sri Mohd. Shahnawaz Ahmad Siddiqui, Addl. Civil Judge (Jr. Div.), Raebareli regarding grant of ex-post facto permission for his appearance in the third and fourth semester examinations of LL.M. Course (regular) from University of Allahabad.

In his application, Sri Shahnawaz has stated that he has been pursuing LL.M. from the Faculty of Law, University of Allahabad prior to joining the service and had successfully completed two semesters of the said course prior to joining the service (photocopy of the mark-sheets of both semesters can be seen as attachment) and in anticipation of the Court's permission, he has appeared in the third semester examinations as he has completed the required attendance criterion for appearing in the third semester examinations prior to his joining in the service. He has also stated that he do not need study leave for the course and also stated that in view of the extraordinary situation arising out of the COVID-19 pandemic, the University has declared session 2019-2020 as zero attendance session and thus no class study has taken place for fourth semester and now he wants to appear in the IV semester examination. Thereafter an objection was raised regarding his appearance in the 4th semester examination, as the examination has already been conducted prior to receipt of his application.

In reply of the objection, the officer has stated that he has appeared in the online examination of the IVth semester and also submitted his dissertation in anticipation of the Court's permission and also added that the University has not published any official information regarding the online examination and thus he could not submit any papers in this regard from the university. He has, therefore, requested for grant of permission for his appearance in the fourth semester examination (through online mode) of his regular LL.M. Course and also permission for submission of dissertation of LL.M. Course to University of Allahabad.

In this connection, it is stated that Sri Siddiqui has joined the U.P. Nyayik Sewa on 15.11.2019. There is circular letter dated 4.11.11 (flagged 'M') 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 do not need study leave and he has already completed two semesters prior to his joining in the U.P. Nyayik Sewa and also appeared in the third semester examination of his course as he had completed the required attendance criterion for appearing in the third semester examinations prior to his joining and now he has stated that due to pandemic no classes are being held as this session is declared as zero session, thus no physical presence is required for appearing in the fourth semester examinations and the same is to be conducted through online mode and also as he has appeared in the examinations already and also submitted his dissertation, to regularize this matter, his request appears to be considerable.

May, therefore, if approved, the instant matter may be laid before the Nominated Judge, Hon'ble Mr. Justice Pritinker Diwaker for His Lordship's kind perusal and if His Lordship approves:-

(a) Sri Mohd. Shahnawaz Ahmad Siddiqui, Addl. Civil Judge (Jr. Div.), Raebareli may be granted ex-post facto permission for submission of dissertation of his LL.M. Course to University of Allahabad and also be granted ex-post facto permission for his appearance in the LL.M. III and IV semester examinations of his regular LL.M. course, academic sessions 2018-2020 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.

Archana Awasthi
Review Officer

Mohd. Arshad
Assistant Registrar
20.10.2020

Hon'ble Mr. Justice Pritinker Diwaker
Nominated Judge

Submitted for His Lordship's kind perusal
and orders?

Registrar(Judicial)(Budget)
29.10.20