

Joint Registrar(J) (Budget)

May kindly see online application of Sri Mayank Tripathi, Addl. District & Sessions Judge, Lucknow regarding grant of permission to appear in the supplementary examination of LL.M. 1st year and to pursue her 2nd year LL.M. Course from Kurukshetra University.

In his letter, Sri Tripathi has stated that he had joined Uttar Pradesh Higher Judicial Service through direct recruitment on 06.08.2019. Before joining the service he was already enrolled in the LL.M. two year course through distance learning from Kurukshetra University, Haryana vide DDE Ref.No. 233574 Roll No. 377820 in the academic session year 2018-2019 and he had already appeared in all six papers of the first year examination. Result of LL.M. First year examination had been declared on 30.09.2019 and as per the said result, he has to reappear in paper I (Law, Social Transformation and Judicial Process in India) and paper V (Corporate Law and Management) of LL.M. first year examination. Furthermore, he has also to fill up LL.M. second year examination form for the academic session 2019-2020 and he will not take any study leave for reappearing in paper I and Paper V of LL.M. 1st year and for pursuing LL.M. 2nd year course except for appearing in the examination. The examination dates have not been declared yet and he has also declared that he may do LL.M. course without attending day to day class. He has also sent prospectus and syllabus of LL.M. course as attachment. He has, therefore, requested for grant of permission to reappear in the aforesaid LL.M. 1st year papers and also to continue her 2nd year studies from the Kurukshetra University.

In this connection, it is stated that Sri Tripathi has joined the U.P. Higher Judicial Services on 06.08.2019. 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 will not take any study leave for the said LL.M. Course and examinations, therefore, his request may be considered. 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 file may be laid before Hon'ble the Chief Justice for His Lordship's kind perusal and if His Lordship approves, Sri Mayank Tripathi, Addl. District & Sessions Judge, Lucknow may be granted permission to reappear in the paper I (Law, Social Transformation and Judicial Process in India) and paper V (Corporate Law and Management) of LL.M. first year examination and also to pursue his 2nd year LL.M. Course through

correspondence from Kurukshetra University, Kurukshetra for the academic session 2019-2020, 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

21.12.2019

Hon'ble the Chief Justice

My Lord,

Submitted for His Lordship's

kind perusal & orders

Joint Registrar(J)(B)

21.12.2019