

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

May kindly see the online application of Sushri Jyoti Prakash Singh, Addl. Civil Judge (Jr. Div.), Allahabad regarding grant of permission to pursue her LL.M. Course (session 2018-2020) from the Faculty of Law, University of Allahabad.

In her application, Sushri Jyoti Prakash Singh has stated that she has been pursuing her LL.M. Course (session 2018-2020) from the Faculty of Law, University of Allahabad prior to joining the Judicial Service in 2019. The officer has further stated that she has completed her two semester of LL.M. Course (mark sheet of all two semester is uploaded in attachment). Thereafter, an objection was raised through which she was asked to intimate about some details regarding her course and also relating to her presence/appearance in the examination of LL.M. III and IV semester.

In reply, the officer has stated she would not be taking any 'STUDY LEAVE' for pursuing her LL.M. Course from the Faculty of Law, University of Allahabad and she has appeared in the LL.M. Third and Fourth semester examinations and submitted her dissertation by way of online platform in anticipation of the Court's permission. The officer has completed the attendance requirement prior to joining of her service. As regards of Fourth Semester, due to outbreak of Covid-19 the classes requiring physical appearance could not take place. She also has stated that her LL.M. Course is regular course from Allahabad University. The Officer also has clarified the reason of sending application so late. Therefore requested to place her application before the Hon'ble Court for grant of permission to do/ pursue LL.M. Course.

In this connection, it is stated that Sushri Jyoti Prakash Singh has joined the U.P. Nyayik Sewa on 16.12.2019. There is a circular letter dated 04.11.11, 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 has successfully completed the first two semesters of her LL.M. Course (Session 2018-20, regular course ) from the Faculty of Law, University of Allahabad, as regards the Third semester the officer has completed the attendance requirement for service prior to the joining of service and as regards the Fourth semester, due to outbreak of Covid-19 the classes requiring physical appearance could not take place. She do not need to attend classes, so she would not take 'study leave' and no requirement of any day to day class, in anticipation of the Court's permission. 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 the nominated judge Hon'ble Mr. Justice Pritinker Diwaker for His Lordship's kind perusal and if His Lordship approves:-

(a) Sushri Jyoti Prakash Singh, Addl. Civil Judge (Jr. Div.), Allahabad may be granted ex-post facto permission for her appearance in the third and fourth semester examinations as well as be granted permission to pursue her LL.M. Course (session 2018-20, regular course), from the Faculty of Law, University of Allahabad, with exemption of the requirement to take study leave for the same without entering into the fact whether the University is recognised by UGC or not and without reserving any future claim of the Officer regarding her qualification if the University is not recognised.

Or

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

A.K. Patel

R. O.

Mohd. Arshad

A. R.

02.02.2021

**Hon'ble Mr. Justice Pritinker Diwaker**

**Nominated Judge**

Submitted for kind perusal & order

Joint Registrar (J)(Budget)