

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

May kindly see the online application of Sushri Sonam Sharma, Addl. Civil Judge (Jr. Div.), Unnao regarding grant of permission to pursue her LL.M. Course and to appear in the first year examinations of LL.M. Course from Kurukshetra University, Kurukshetra, Haryana.

In her application, the officer has stated that she has taken admission in LL.M. part-I course through distance learning mode from Kurukshetra University, Kurukshetra, Haryana prior to her joining in the service and now wants to appear in the LL.M. first year examinations. 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, held from 11.09.2020.

In reply, the officer has stated she has been pursuing LL.M. from the Directorate of Distance Education, Kurukshetra University, Haryana which does not require any regular i.e. day to day classes consequently she would not be in any need for 'Study Leave' and also stated that as the examinations was conducted in online mode from her place of residence itself, she has appeared in all the examination of LL.M.1st year course in anticipation of Court's permission, which have taken place from 11.9.2020. She has also enclosed prospectus, examination schedule and other related documents of her LL.M. Course examination and her declaration relating to the pursuance of her LL.M. Course without attending any day to day class, which can be seen as attachments. She has, therefore requested to place her application before the Hon'ble Court for grant of permission to do/ pursue LL.M. Course and for appearing in the LL.M. 1st year examination.

In this connection, it is stated that Sushri Sonam has joined the U.P. Nyayik Sewa on 15.11.2019. 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 as this Course is being pursued through distance learning, so she will not take 'study leave' and as in the anticipation of the Court's permission, she has appeared in the LL.M. first year examinations, started from 11.9.2020, which were held online on a short notice by University on 31.8.2020, 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) Sushri Sonam Sharma, Addl. Civil Judge (Jr. Div.), Unnao may be granted ex-post facto permission for her appearance in the LL.M. first year examinations as well as be granted permission to pursue her LL.M. Course through distance learning, for the academic session from 2019-2021 from Kurukshetra University, Kurukshetra, Haryana,

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 deem fit and proper .

Archana Awasthi

Review Officer

Mohd. Arshad

Assistant Registrar

07.10.2020

**Hon'ble the Chief Justice**

My Lord,

Submitted for His Lordship's  
kind perusal & orders

Registrar(J)(Budget)  
7.10.20