

Registrar (J) (Budget)

May kindly see the online application of Sri Arun Kumar Rana, Addl. Civil Judge (Jr. Div.), Meerut regarding grant of permission to pursue his LL.M. Course and to appear in the first year examinations of LL.M. Course from Kurukshetra University, Kurukshetra, Haryana.

In his application, the officer has stated that he got himself enrolled(Reference No. 19238713) in the LL.M. through distance learning programme before joining the U.P. Judicial Services in the year 2019. The examination schedule for LL.M. Part I is for six exam papers, which are to be held between 11th September and 5th October. Thereafter, an objection was raised through which he was asked to intimate about some details regarding his Course and also relating to his presence/ appearance in the terminal examination, started on 11.09.2020.

In reply, the officer has stated that in anticipation of the Hon'ble Court's permission, he has appeared in the LL.M. part-I examination to be held from 11/09/2020 and the academic session of the LL.M. Course consists of two sessions, i.e., 2019-2020 and 2020-2021, at the end of which there would be examinations for that year. He has also declared that he does not have to attend day to day classes for the LL.M. degree and he does not need study leave as the LL.M. course is a distance education programme. He has also enclosed prospectus, examination schedule and other related documents of his LL.M. Course, which can be seen as attachment. He has, therefore requested to place his 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 Sri Rana 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 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 as this Course is being pursued through distance learning and thus he will not take any 'study leave', his request appears to be considerable. 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 instant matter may be laid before Hon'ble the Chief Justice for His Lordship's kind perusal and if His Lordship approves:-

(a) Sri Arun Kumar Rana, Addl. Civil Judge (Jr. Div.), Meerut may be granted permission to do/ pursue LL.M. (2 year) Course through distance learning, for the academic session 2019-2021 as well as be granted ex-post-facto permission for his appearance in the examination, held on 11.09.2020 and also be granted permission to appear in the rest of LL.M. 1st year examinations 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 his 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

17.09.2020

Hon'ble the Chief Justice

My Lord,

Submitted for His Lordship's kind perusal
and orders?

Registrar(Judicial)(Budget)

22.09.2020