

# APPLICATION FOR OTHER SERVICES

Case Id : 1081	Employee No.: 3602
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Application		
1.	Name of the Applicant	GAGAN DEEP
2.	Type of Application/Representation	Grant of permission to Judicial Officers to pursue academic courses.
3.	Designation	Civil Judge (Junior Div.)
4.	Application	Grant of permission to Judicial Officers to pursue academic courses.
5.	Date of Submission	15-09-2020

Attachments	
Attachment	Uploading Date
LIM 1st year exams permission application	15/09/2020
LL.M. exam date sheet	22/09/2020
LL.M. 2nd year exam date sheet	14/07/2021
*Red background attachments are uploaded in return of objection.	

Note for approval / remarks		
<b>DISTRICT JUDGE ( DISTRICT COURT - MUZAFFAR NAGAR )</b>	15/09/2020	Forwarded
<b>ADMIN A4</b>	17/09/2020	On the above noted subject, I have to say that the officer may kindly be asked to intimate about the academic session of his complete LL.M. Course and also be asked to intimate about his status of taking study leave as per the Court C. L. Dated 04.11.2011 as well as be asked to attach the date sheet of examination for taking further necessary action in the matter.
<b>GAGAN DEEP ( JUDICIAL OFFICER )</b>	22/09/2020	Sir with regard to your objection, I hereby submit that my LL.M. course will be completed in academic session 2020- 2021. I have not taken any study leave for this and I will not taking any study leave during the completion of the course. The date sheet of LL.M. 1st year exams is hereby attached for your kind perusal.
<b>DISTRICT JUDGE ( DISTRICT COURT - MUZAFFAR NAGAR )</b>	22/09/2020	Forwarded
<b>ADMIN A4</b>	22/09/2020	The officer may kindly be asked to intimate that whether he has appeared in the examinations dated 11.9.2020 and 19.9.2020 in anticipation of Court's permission, for taking further necessary action in the matter.
<b>GAGAN DEEP ( JUDICIAL OFFICER )</b>	25/09/2020	Sir, in regards to your objection, I would like to humbly submit that I have given the examination held on 11.09.2020 and 19.09.2020 in the anticipation of permission of hon'ble High court.

<b>DISTRICT JUDGE ( DISTRICT COURT - MUZAFFAR NAGAR )</b>	25/09/2020	Forwarded
<b>ADMIN A4</b>	09/10/2020	On the above noted subject, I have to say that the officer may kindly be asked to intimate that whether he has appeared in all the examinations of LL.M 1st year course in anticipation of the Court's permission, for taking further necessary action in the matter.
<b>GAGAN DEEP ( JUDICIAL OFFICER )</b>	13/10/2020	Sir,  With reference to your objection, mentioned above I would like to submit that I have appeared in all the examination of LL.M. 1st year in anticipation of Hon'ble H.C. permission.  Regards.
<b>DISTRICT JUDGE ( DISTRICT COURT - MUZAFFAR NAGAR )</b>	13/10/2020	Forwarded
<b>ADMIN A4</b>	05/07/2021	On the above noted subject, I have to say that the officer may kindly be asked to intimate about the present status of his LL.M. 2 <sup>nd</sup> year study i.e. whether it is completed or not and about the 2 <sup>nd</sup> year examination dates etc, as sufficient time has been elapsed now. The officer may further be asked to intimate about the complete academic session of his LL.M. Course as well as to intimate about the result of LL.M. 1 <sup>st</sup> year examination with supporting papers; for taking further necessary action in the matter.
<b>GAGAN DEEP ( JUDICIAL OFFICER )</b>	14/07/2021	<b>Respected Sir,</b>  <b>On the subject above mentioned it is respectfully submitted that under signatory is still pursuing LL.M. from Kurukshetra University, Kurukshetra (session 2019- 2021). As per the official website of the kurukshetra university, the exams for LL.M. 2nd year are scheduled from 11.08.2021 to 27.08.2021. Under signatory LL.M. 1st year result is still awaited.</b>  <b>Regards.</b>
<b>DISTRICT JUDGE ( DISTRICT COURT - MUZAFFAR NAGAR )</b>	15/07/2021	Forwarded
<b>ADMIN A4</b>	17/07/2021	<b>Joint Registrar (Judicial) (Budget)</b>  May kindly see the online application of Sri Gagan Deep, Civil Judge (Jr. Div.), (FTC), Muzaffarnagar regarding grant of permission to do/pursue LL.M. Course through distance learning from Kurukshetra University.  In his application, Sri Gagan has stated that he has been pursuing LL.M. from Kurukshetra University through distance learning prior

to his joining in U.P. Nyayik Sewa and wishes to pursue the same. He has also stated that due to the non awareness of the fact of seeking permission for continuation of LL.M. Course after joining the services, delay has been caused in seeking the same and now the University has scheduled LL.M. 1<sup>st</sup> year examination from 11<sup>th</sup> September 2020 through online mode and he wants to appear in the same. Thereafter, through online objections were made through the portal by asking academic session, status of study leave and his appearance in the LL.M. 1<sup>st</sup> year examinations. In replies of the raised objections, the officer has stated that the academic session of the course is 2019-2021 and he has not taken and also would not take any study leave during the completion of the course. The officer has also stated that he has appeared in all the LL.M 1<sup>st</sup> year examination, in anticipation of the Court's permission. Furthermore, as sufficient time has been elapsed, therefore, the officer was again asked to intimate the current status of LL.M. Course and in reply the officer has stated that as per the official website of the Kurukshetra university, the exams for LL.M. 2<sup>nd</sup> year are scheduled from 11.08.2021 to 27.08.2021 and his LL.M. 1<sup>st</sup> year result is still awaited. He has also enclosed his Identity card, LL.M. 1<sup>st</sup> year and 2<sup>nd</sup> year examination date sheet and other related papers as attachments. He has, therefore, requested to kindly place his application before the Hon'ble Court for grant of permission to do/pursue LL.M. Course through distance learning from Kurukshetra University.

In this connection, it is stated that the officer has joined the U.P. Nyayik Sewa on 14.12.2019. 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 would not take study leave for the said LL.M. Course. It is also pertinent to mention here that the officer has already appeared in all the papers of LL.M. 1<sup>st</sup> year examinations in anticipation of the Court's permission; result of the same is still awaited and now LL.M 2<sup>nd</sup> year examination is also going to be scheduled from 11.08.2021 and he wants to appear in the same examination, it is on the discretion of the Court either to regularize the matter by granting ex

post facto permission for his appearance in LL.M 1<sup>st</sup> year examination and permission to appear in LL.M 2<sup>nd</sup> year examination to the officer or to pass any such order which deems to be proper. 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 Mr. Justice Pritinker Diwaker, Nominated Judge for the purpose, for His Lordship's kind perusal and if His Lordship approves :-

Sri Gagan Deep, Civil Judge (Junior Division) (FTC), Muzaffaranagar may be granted ex-post facto permission for his appearance in the LL.M. 1<sup>st</sup> year examination as well as permission be granted to appear in the LL.M. 2<sup>nd</sup> year examinations through Distance Learning Programme of Kurukshetra University, Kurukshetra for the academic sessions 2019-2021, 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

To pass any other order which His Lordship deem fit and proper .

Archana Awasthi

Review Officer

		<p>Mohd. Arshad</p> <p>Assistant Registrar</p> <p>17.07.2021</p>
<p><b>JOINT REGISTRAR JUDICIAL BUDGET</b></p>	<p>17/07/2021</p>	<p><b>Joint Registrar (Judicial) (Budget)</b></p> <p>May kindly see the online application of Sri Gagan Deep, Civil Judge (Jr. Div.), (FTC), Muzaffarnagar regarding grant of permission to do/pursue LL.M. Course through distance learning from Kurukshetra University.</p> <p>In his application, Sri Gagan Deep has stated that he has been pursuing LL.M. from Kurukshetra University through distance learning prior to his joining in U.P. Nyayik Sewa and wishes to pursue the same. He has also stated that due to the non awareness of the fact of seeking permission for continuation of LL.M. Course after joining the services, delay has been caused in seeking the same and now the University has scheduled LL.M. 1<sup>st</sup> year examination from 11<sup>th</sup> September 2020 through online mode and he wants to appear in the same. Thereafter, through online objections were made through the portal by asking academic session, status of study leave and his appearance in the LL.M. 1<sup>st</sup> year examinations. In replies of the raised objections, the officer has stated that the academic session of the course is 2019-2021 and he has not taken and also would not take any study leave during the completion of the course. The officer has also stated that he has appeared in all the LL.M 1<sup>st</sup> year examination, in anticipation of the Hon'ble Court's permission. Furthermore, as sufficient time has been elapsed, therefore, the officer was again asked to intimate the current status of LL.M. Course and in reply the officer has stated that as per the official website of the Kurukshetra university, the exams for LL.M. 2<sup>nd</sup> year are scheduled from 11.08.2021 to 27.08.2021 and his LL.M. 1<sup>st</sup> year result is still awaited. He has also enclosed his Identity card, LL.M. 1<sup>st</sup> year and 2<sup>nd</sup> year examination date sheet and other related papers as attachments. He has, therefore, requested to kindly place his application before the Hon'ble Court for grant of permission to do/ pursue LL.M. Course through distance learning from Kurukshetra University.</p> <p>In this connection, it is stated that the officer has joined the U.P. Nyayik Sewa on 14.12.2019. 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 would not take study leave for the said LL.M. Course. It is also pertinent to mention here that the officer has already appeared in all the papers of LL.M. 1<sup>st</sup> year examinations in anticipation of the Hon'ble Court's permission; result of the same is still awaited and now LL.M 2<sup>nd</sup> year examination is also going to be scheduled from 11.08.2021 and he wants to appear in the same examination, it is on the discretion of the Hon'ble Court either to regularize the matter by granting ex post facto permission for his appearance in LL.M 1<sup>st</sup> year examination and permission to appear in LL.M 2<sup>nd</sup> year examination to the officer or to pass any such order which deems to be proper. 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:-</p> <ol style="list-style-type: none"> <li>1. <i>Government work should not suffer in any way.</i></li> <li>2. <i>The academic classes, if any are held outside office hours.</i></li> <li>3. <i>No preferential treatment will be given in the matter of leave postings and transfer.</i></li> <li>4. <i>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.</i></li> </ol> <p>May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice</p>

		<p>Pritinker Diwaker, Nominated Judge for the purpose, for His Lordship's kind perusal and if His Lordship approves :-</p> <p>A) Sri Gagan Deep, Civil Judge (Junior Division) (FTC), Muzaffaranagar may be granted ex-post facto permission for his appearance in the LL.M. 1<sup>st</sup> year examination as well as permission be granted to appear in the LL.M. 2<sup>nd</sup> year examinations through Distance Learning Programme of Kurukshetra University, Kurukshetra for the academic sessions 2019-2021, 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.</p> <p style="text-align: center;">Or</p> <p>B) To pass any other order which His Lordship deem fit and proper .</p> <p>Archana Awasthi Review Officer Mohd. Arshad Assistant Registrar 17.07.2021 <b>Hon'ble Mr. Justice Pritinker Diwaker,</b> <b>Nominated Judge</b> Submitted for kind perusal &amp; order</p> <p>Joint Registrar (J) (Budget)</p>
<b>HON'BLE J. PRITINKER DIWAKER</b>	22/10/2021	Approved

<b>Final Remark</b>	
Approved	