

APPLICATION FOR OTHER SERVICES

Case Id : S00000232021 | Old Case Id : 1488

Employee No.: 3340

Application	
1. Name of the Applicant	GAURAV DWIVEDI
2. Type of Application/Representation	Grant of permission to Judicial Officers to pursue academic courses.
3. Designation	Metropolitan Magistrate
4. Application	<p>Respected Sir /Madam,</p> <p>By your letter number 10203/IV-4842/Admin(A-4)/ dated 09-11-2020. I, Gaurav Dwivedi, Metropolitan Magistrate, Kanpur Nagar was asked to submit fresh application regarding permission to pursue LL.M. course through distance education from Kurukshetra university, Kurukshetra through e-services portal. In this regard applicant submits that he has been enrolled for 2 year LL.M. program from Directorate of Distance Education, Kurukshetra University for the session of July 2019 - June 2020 and July 2020 -June 2021 before joining U.P. Judicial Service.</p> <p>Following points are worth mentioning, regarding this LL.M. programme-</p> <ol style="list-style-type: none">1. This LL.M. programme is a correspondence/distance learning course and no day-to-day classes are required for its completion. [Copy of prospectus, July 2019 is attached herewith]2. Examinations for 1st year have already been conducted in September 2020 through online platform and for second year, it is proposed in June 2021. Applicant had applied seeking permission to pursue this course by letter dated 28-8-2020, but the same was returned back asking applicant to submit fresh application through e services portal. It is kindly informed that in anticipation of Hon'ble HighCourt's permission, applicant has already appeared in online examination conducted in September 2020.3. Study leave for completing this program is not required. [Declaration by applicant to this effect is attached herewith] <p>In view of above it is humbly requested to grant permission to pursue the above-mentioned course through distance education from Directorate of Distance Education Kurukshetra university, Kurukshetra.</p> <p>Regards,</p> <p style="text-align: right;">Yours sincerely,</p> <p style="text-align: right;">Gaurav Dwivedi</p> <p>Metropolitan Magistrate, Kanpur Nagar.</p> <p>Date:05-01-2021</p> <p><i>Annexures:</i></p> <ol style="list-style-type: none">1. Copy of letter number 10203/IV-4842/Admin(A-4)/dated 09-11-2020 asking applicant to submit fresh application through e services portal.2. Copy of letter dated 28-8-2020 submitted by applicant ,seeking Hon'ble HighCourt's permission for completion of this course.3. Copy of prospectus, July 2019 of Directorate of Distance Education Kurukshetra university, Kurukshetra.4. Copy of Identity card issued by Directorate of Distance Education Kurukshetra university, Kurukshetra.5. Copy of Fee Receipt of fee payable to Directorate of Distance Education Kurukshetra university, Kurukshetra.6. Copy of declaration by applicant.

5.	Date of Submission	05-01-2021
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Attachments	
Attachment	Uploading Date
Copy of letter number 10203/IV-4842/Admin(A-4)/dated 09-11-2020 asking applicant to submit fresh application through e services portal.	05/01/2021
Copy of letter dated 28-8-2020 submitted by applicant ,seeking Hon'ble HighCourt's permission for completion of this course.	05/01/2021
Copy of prospectus, July 2019 of Directorate of Distance Education Kurukshetra university, Kurukshetra.	05/01/2021
Copy of Identity card issued by Directorate of Distance Education Kurukshetra university, Kurukshetra.	05/01/2021
Copy of Fee Receipt of fee payable to Directorate of Distance Education Kurukshetra university, Kurukshetra.	05/01/2021
Copy of declaration by applicant.	05/01/2021
Examination Dates	03/08/2021
Ist year marksheet	03/08/2021
*Red background attachments are uploaded in return of objection.	

Note for approval / remarks		
DISTRICT JUDGE (DISTRICT COURT - KANPUR NAGAR)	06/01/2021	Forwarded to Hon'ble high Court.
ADMIN A4	13/07/2021	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 nd year study i.e. whether it is completed or not and about the 2 nd year examination dates etc. with supporting papers, as sufficient time has been elapsed now. The officer may further be asked to intimate about the result of LL.M. 1 st year examination with supporting papers; for taking further necessary action in the matter.
GAURAV DWIVEDI (JUDICIAL OFFICER)	03/08/2021	Most respectfully applicant submits that- 1.LL.M. 2nd year study is not completed and I have to appear in 2nd year examination which is scheduled from 11/08/2021.[Examination scheme is herewith enclosed] 2.It is also submitted that applicant has passed LL.M. Ist year exam.[Marksheet is herewith enclosed]
DISTRICT JUDGE (DISTRICT COURT - KANPUR NAGAR)	04/08/2021	Forwarded to Hon'ble high Court.

ADMIN A4	27/09/2021	On the above noted subject, I have to say that the officer may kindly be asked to intimate as to whether he has appeared in the stated LL.M. 2nd year examination in anticipation of permission of Hon'ble High Court and also be asked to intimate that whether he has taken admission in the LL.M. prior to his joining in U.P. Nyayik Sewa, for taking further necessary action in the mater.
GAURAV DWIVEDI (JUDICIAL OFFICER)	30/10/2021	<p>Respected sir/ma'am,</p> <p>With due respect I beg to say that -</p> <p>1.I have appeared in LL.M. 2nd year exam in anticipation of permission of Hon'ble HighCourt.</p> <p>2.Yes,I have taken admission in LL.M. before joining U.P. Nyayik Sewa.</p> <p>Regards,</p>
DISTRICT JUDGE (DISTRICT COURT - KANPUR NAGAR)	30/10/2021	Forwarded to Hon'ble High Court.
ADMIN A4	16/11/2021	<p>Joint Registrar (Judicial) (Budget)</p> <p>May kindly see the online application of Sri Gaurav Dwivedi, Metropolitan Magistrate, Kanpur Nagar regarding grant of permission to do/ pursue LL.M. Course through distance education from Kurukshetra University.</p> <p>In his application, Sri Gaurav Dwivedi has stated that he has been enrolled for 2 year LL.M. program from Directorate of Distance Education, Kurukshetra University for the session of July 2019 - June 2020 and July 2020 -June 2021 before joining U.P. Judicial Service and earlier he has sent an offline application in this regard and now in the light of Hon'ble High Court's letter no. 558/ III-CPC/ e-Courts/ Allahabad dated 31.08.2019, submitting fresh application. He has also stated that this LL.M. programme is a correspondence/distance learning course and no day-to-day classes are required for its completion. Examinations for 1st year have already been conducted in September 2020 through online platform and for second year, it is proposed in June 2021. He has also informed that in anticipation of Hon'ble High Court's permission, he has already appeared in online examination conducted in September 2020 and no Study leave for completing this program is required to him. Thereafter, through online objections, the officer was asked to intimate about the current status of his LL.M. study and also about his appearance in the LL.M. 2nd year examination. In reply the officer has stated he has passed the LL.M. 1st year examinations and also stated that he has appeared in the LL.M. 2nd year examinations in anticipation of permission of Hon'ble High Court. He has also enclosed prospectus, LL.M. 1st year result and other related papers of LL.M. Course as attachments. He has, therefore, requested for grant of permission to do/ pursue LL.M. Course through distance education from Kurukshetra University.</p>

		<p>In this connection, it is stated that the officer has joined the Uttar Pradesh Nyayik Sewa on 16.11.2019. 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 to pursue the course. It is also pertinent to mention here that as stated by the officer, he has sent the intimation regarding his LL.M. Course through offline mode and now send this instant online fresh application in the light of Hon'ble High Court's letter no. 558/ III-CPC/ e-Courts/ Allahabad dated 31.08.2019. Now, as stated by the officer that he has already appeared in the LL.M. first year and LL.M. second year examination in anticipation of the Hon'ble High Court's permission; It is on the discretion of the Hon'ble High Court either to regularize the matter by granting ex post facto permission for his appearance in the LL.M. first year course and second year course examinations to the officer or to pass any such order which deems to be proper.</p> <p>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 :-</p> <p>Sri Gaurav Dwivedi, Metropolitan Magistrate, Kanpur Nagar may be granted ex-post facto permission for his appearance in the LL.M. first year and LL.M. second year examinations through Distance education from Kurukshetra University, Kurukshetra for the academic sessions July 2019- June 2021, with exemption of the requirement to take study leave for the same and without entering into the fact whether the University is recognised by University Grants Commission or not and without reserving any future claim of the Officer regarding his qualification if the University is not recognised.</p> <p>Or</p> <p>To pass any other order which His Lordship deem fit and proper .</p> <p>Archana Awasthi Review Officer Mohd. Arshad Assistant Registrar 16.11.2021</p>
<p>JOINT REGISTRAR JUDICIAL BUDGET</p>	<p>08/01/2022</p>	<p>Joint Registrar (Judicial) (Budget)</p> <p>May kindly see the online application of Sri Gaurav Dwivedi, Metropolitan Magistrate, Kanpur Nagar regarding grant of</p>

permission to do/ pursue LL.M. Course through distance education from Kurukshetra University.

In his application, Sri Gaurav Dwivedi has stated that he has been enrolled for 2 year LL.M. program from Directorate of Distance Education, Kurukshetra University for the session of July 2019 - June 2020 and July 2020 -June 2021 before joining U.P. Judicial Service and earlier he has sent an offline application in this regard and now in the light of Hon'ble High Court's letter no. 558/ III-CPC/ e-Courts/ Allahabad dated 31.08.2019, submitting fresh application. He has also stated that this LL.M. programme is a correspondence/distance learning course and no day-to-day classes are required for its completion. Examinations for 1st year have already been conducted in September 2020 through online platform and for second year, it is proposed in June 2021. He has also informed that in anticipation of Hon'ble High Court's permission, he has already appeared in online examination conducted in September 2020 and no Study leave for completing this program is required to him. Thereafter, through online objections, the officer was asked to intimate about the current status of his LL.M. study and also about his appearance in the LL.M. 2nd year examination. In reply the officer has stated he has passed the LL.M. 1st year examinations and also stated that he has appeared in the LL.M. 2nd year examinations in anticipation of permission of Hon'ble High Court. He has also enclosed prospectus, LL.M. 1st year result and other related papers of LL.M. Course as attachments. He has, therefore, requested for grant of permission to do/ pursue LL.M. Course through distance education from Kurukshetra University.

In this connection, it is stated that the officer has joined the Uttar Pradesh Nyayik Sewa on 16.11.2019. 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 to pursue the course. It is also pertinent to mention here that as stated by the officer, he has sent the intimation regarding his LL.M. Course through offline mode and now send this instant online fresh application in the light of Hon'ble High Court's letter no. 558/ III-CPC/ e-Courts/ Allahabad dated 31.08.2019. Now, as stated by the officer that he has already appeared in the LL.M. first year and LL.M. second year examination in anticipation of the Hon'ble High Court's permission; It is on the discretion of the Hon'ble High Court either to regularize the matter by granting ex post facto permission for his appearance in the LL.M. first year course and second year course examinations to the officer or to pass any such order which deems to be proper.

		<p>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 :-</p> <p>A) Sri Gaurav Dwivedi, Metropolitan Magistrate, Kanpur Nagar may be granted ex-post facto permission for his appearance in the LL.M. first year and LL.M. second year examinations through Distance education from Kurukshetra University, Kurukshetra for the academic sessions July 2019- June 2021, with exemption of the requirement to take study leave for the same and without entering into the fact whether the University is recognised by University Grants Commission 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</p> <p>Hon'ble Mr. Justice Pritinker Diwaker, Nominated Judge</p> <p>Submitted for kind perusal & order</p> <p>Joint Registrar (Judicial) (Budget)</p>
<p>HON'BLE J. PRITINKER DIWAKER</p>	<p>31/01/2022</p>	<p>Approved.</p>

Final Remark	
<p>Approved</p>	