

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

May kindly see the online application of Sri Rajat Singh Yadav, the then Addl. Civil Judge (Jr. Div.), Hamirpur presently posted as Civil Judge (Jr. Div.), Maudaha- Hamirpur regarding grant of permission to pursue LL.M Course through Distance Learning from Kurukshetra University.

In his application, Sri Yadav has stated that prior to joining the service, he already got himself enrolled in the LL.M. (two year) course through Distance Learning (Correspondence Course) from Kurukshetra University, Haryana vide Reference No- 19238347 dated 24.08.2019 in the academic session 2019-2020 and wants to continue the course and to appear for the **examinations for the** Part-1 of the LL.M. Distance learning course. He has also stated that he would not take any 'Study Leave' to complete the LL.M. distance learning course from Kurukshetra University. He has also declared that he may do LL.M. distance learning course without attending any day to day class and requested for grant of permission for appearing in the aforesaid examination. Thereafter, the officer was asked to intimate about his appearance in the LL.M. examinations via online objection.

In reply of the same the officer has stated that he has appeared in all the examination of LL.M. 1<sup>st</sup> year Course by taking casual leaves on the days of examinations. He has also enclosed prospectus, syllabus of the course and related papers of LL.M. examination, which may be seen as attachment. He has, therefore, again requested for grant of permission to do/ pursue the LL.M. Course through distance learning from Kurukshetra University.

In this connection, it is stated that Sri Yadav has joined the U.P. 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 no 'study leave' for doing the aforesaid Course would be required as this a distance learning programme and also stated that he has appeared in all the LL.M. 1<sup>st</sup> year examination through online mode. Now, as the officer has appeared in the LL.M. 1<sup>st</sup> year examination and wants to pursue his second year LL.M. Course, therefore to regularize the matter, 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 Mr. Justice Pritinker Diwaker, Nominated Judge for the purpose, for His Lordship's kind perusal and if His Lordship approves :-

Sri Rajat Singh Yadav, presently posted as Civil Judge (Jr. Div.), Maudaha- Hamirpur may be granted ex post facto permission for his appearance in the LL.M. 1<sup>st</sup> year examination as well as permission to do/pursue the LL.M. Course through Distance Learning Programme of Kurukshetra University, Kurukshetra for the academic sessions from 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

Mohd. Arshad

Assistant Registrar

03.07.2021

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

**Nominated Judge**

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

