

## **Registrar (Judicial) (Budget)**

May kindly see the online application of Sushri Isika Singh, the then Additional Civil Judge (Junior Division), Jaunpur presently posted as Additional Civil Judge (Junior Division), Mathura regarding grant of permission to do/ pursue LL.M. Course through distance education from Kurukshetra University.

In her application, Sushri Isika Singh has stated that she wants permission to pursue academic courses of LL.M. through Distance Education from Directorate of Distance Education Kurushetra University, Kurushetra from July 2020 session. Thereafter through online objections, the officer was asked to intimate her status of taking study leave, admission status, declaration regarding no class requirement etc. In reply the officer has stated that she has taken admission into the course in anticipation of the Hon'ble High Court's permission for the session July 2020- July 2022 and as this is a correspondence course, neither regular classes nor regular attendance is required and she also stated that she do not need any study leave and would pursue this course by self studying and without attending any day to day classes.. Again, as the stated academic session 2020-2022 had expired, thus the officer was asked to intimate the status of her LL.M. 1st year LL.M. 2nd year course. In reply, the officer has stated that in the anticipation of the permission of the Hon'ble High Court, she has appeared in the LL.M. 1st year and 2nd year examinations and also attached the marksheets of her LL.M. 1st year and 2nd year course, which can be seen as attachments. The officer has also enclosed her declaration, prospectus and syllabus of the LL.M. alongwith other relating papers of the course as attachments. She has, therefore, requested for grant of permission for her 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 16.12.2019. There is circular letter dated 4.11.11, 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 she would not take study leave to pursue the course as the course is to be done through correspondence. Now, as stated by the officer that she has already taken admission and appeared in the LL.M. 1st and 2nd year examinations 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 her admission and for her appearance in the 1st and 2nd year examinations of LL.M. course 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 her normal work or that public work suffers, in any way.

It is further to mention here that recently, vide order dated 23.04.2023 regarding reconstitution of different Committees, Hon'ble The Chief Justice has been pleased to form a single Hon'ble Judge Committee i.e. Hon'ble Senior Judge (J-1) to deal with the matter of grant of permission to Judicial Officers to pursue academic courses.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice Surya Prakash Kesarwani, Senior Judge (J-1), for His Lordship's kind perusal and if His Lordship approves :-

(a) Sushri Isika Singh, presently posted as Additional Civil Judge (Junior Division), Mathura may be granted ex-post facto permission for her admission in the LL.M. course and for her appearance in the LL.M. 1st year and 2nd year course examinations through correspondence/ distance education from Kurukshetra University, Kurukshetra for the academic sessions July 2020- July 2022, 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 her qualification if the University is not recognised, subject to the conditions mentioned in the above noted G.O. dated 21.8.1967 and all other Rules, Regulations, Circulars and Government orders, if any.

Or

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

Archana Awasthi  
Review Officer  
Munmun Narang  
Section Officer  
Meetu Verma  
Assistant Registrar

**Hon'ble Mr. Justice Surya Prakash Kesarwani,**

**Senior Judge (J-1)**

Submitted for kind perusal & order

Registrar (Judicial) (Budget)

