

oint Registrar (J) (Budget)

May kindly see the online application of Sri Sourabh Mandloi, Addl. Civil Judge (Jr. Div.), Lalitpur regarding grant of permission to pursue LL.M Course through Distance Learning from Kurukshetra University.

In his application, Sri Mandloi has stated that he got himself enrolled in Distance learning LL.M. programme from Kurukshetra University on 26/08/2019 before joining the U.P. judicial services i.e. on 16 December 2019 and wishes to take the LL.M. 1st year examination. Therefore, he was asked to submit related documents of his Course and also to intimate about study leave.

In reply of the same the officer has stated that he do not need study leave as this is a distance learning course and also stated that he has appeared in all the examination of the LL.M. 1st year Course. He has further stated that he was unaware that prior intimation is require to be given to Hon'ble High Court for the course in which he had taken admission prior to the joining of services but as soon as he got to know about the same, he has applied for intimation on 10 September 2020 and also sincerely apologize for applying so late. He has also enclosed prospectus, syllabus and related papers of LL.M. Course, which ,may be seen as attachment. He has, therefore, 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 Mandloi has joined the U.P. 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 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 the LL.M. 1st year examination. Now, as the officer has appeared in the LL.M. 1st year examination and wants to pursue his second year LL.M. Course, therefore to regularize the matter, his request may be considered. 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 file 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 Sourabh Mandloi , Addl. Civil Judge (Jr. Div.), Lalitpur may be granted ex post facto permission for his appearance in the LL.M. 1st 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 .

Mohd. Arshad

Assistant Registrar

Archana Awasthi

Review Officer

02.07.2021

Hon'ble Mr. Justice Pritinker Diwaker,

Nominated Judge

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

