

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

May kindly see the online application of Sushri Pragya Parashar, Additional Civil Judge (Junior Division), Shikohabad- Firozabad regarding grant of permission to do/pursue LL.M. Course through distance learning from Kurukshetra University.

In her application, Sushri Pragya Parashar has stated that she wishes to enroll herself for the 2 year LL.M. Course through distance learning from Kurukshetra University for the academic session from July 2020. She has also stated that she would not take any study leave and this course would not in any way impact her judicial work. She has also declared that she can pursue the course without attending day to day classes. It is pertinent to mention here that as asked by Learned Joint Registrar (Judicial) Budget, the officer was asked whether she has taken admission for the said course or not. In reply, the officer has stated that she has taken admission in Kurukshetra University for LL.M. course for the academic session starting from July 2020. The admission was being taken on 30.10.2020 in anticipation of Hon'ble High Court's kind permission and she has not participated in any examination till now for the said course and there is no information of examination from the Kurukshetra University till date. Thereafter as sufficient time has been elapsed, the officer was asked to intimate about the current status of LL.M. studies, i.e. whether she has completed her first year studies and appeared in the examinations in anticipation of the Hon'ble High Court's permission by enclosing result and the necessary papers. In reply, the officer has stated that she had not appeared in LL.M. 1st year examination as the permission was not given by the Hon'ble High Court. She has enclosed the prospectus of LL.M. Course as attachment. She has, therefore, requested for grant of permission to do/ pursue LL.M. Course through distance learning from Kurukshetra University.

In this connection, it is stated that Sushri Pragya Parashar has joined the Uttar Pradesh Nyayik Sewa on 15.11.2019. 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 for the said LL.M. Course and also stated that she has taken admission in the LL.M. Course in anticipation of permission of Hon'ble High Court's permission and added that she has yet not appeared in any of the examination of LL.M. course. Now, It is on the discretion of Hon'ble High Court either to grant her ex-post facto permission for her admission and permission for pursuance of LL.M. Course 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.

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:-

(a) Sushri Pragya Parashar, Addl. Civil Judge (Junior Division), Shikohabad- Firozabad may be granted ex-post facto permission for her admission in the LL.M. Course and also be granted permission to do/ pursue the LL.M. Course through distance learning from Kurukshetra University, Kurukshetra, Haryana, for the academic session from 2020- 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 as well as without

reserving any future claim of the Officer regarding her qualification if the University is not recognised and also subject to the conditions mentioned above.

Or

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

Archana Awasthi  
Review Officer  
Mohd. Arshad  
Assistant Registrar

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

**Nominated Judge**

Submitted for kind perusal & order

Joint Registrar (Judicial) (Budget)

