

Joint Registrar (Judicial) (Budget)

May kindly see the online application of Sushri Sadhana Singh, Additional Civil Judge (Junior Division), Rampur, regarding grant of permission to do/ pursue LL.M. Course through distance education from Kurukshetra University.

In her application, Sushri Sadhana Singh has stated that she wishes to pursue two years LL.M. Course through correspondence in academic year 2020-2021 from Kurukshetra University, Kurukshetra, Haryana and also stated that she would not be required to attend the classes and the studies would not hamper judicial work in any manner. Thereafter, online objections were sent to the officer through which she was asked to attach declaration regarding no attendance requirement for pursuing the course and also intimate status of taking study leave, status of her admission in the said LL.M. course and dates of examination. In reply of the raised objections, the officer has stated that she do not require any study leave for pursuing LL.M. course and the nature of the course is such that she doesn't have to attend the classes by any mode and she has taken admission in LL.M. distance education for the session July 2020 from Kurukshetra University in anticipation of Hon'ble High Court's permission and tentative exam schedule is from 13th August 2021 and also mode of examination is yet to be declared. It is also pertinent to mention here that as asked by Learned Joint Registrar (Judicial) (Budget), the officer was asked as to whether she has appeared in the said examination scheduled from date 13.08.2021 in anticipation of permission from Hon'ble High Court and in reply the officer has stated that she is appearing in the LL.M. examination scheduled from date 13.08.2021 in anticipation of permission from Hon'ble High Court and the mode of examining is online. She has also enclosed syllabus, prospectus, examination date sheet and other relating papers as attachments. She has, therefore, requested to kindly place her application before the Hon'ble High Court 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 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 do not require any study leave for the said LL.M. Course as this is a distance education course. It is also pertinent to mention here that the officer has already taken admission in the LL.M. course and is appearing in the LL.M. 1st year examinations, started from 13.08.2021 in anticipation of the Hon'ble High Court's permission. It is on the discretion of the Court either to regularize the matter by granting ex post facto permission for admission and her appearance in the LL.M. 1st year examinations and permission for pursuance 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.

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 Sadhana Singh, Additional Civil Judge (Junior Division), Rampur may be granted ex-post facto permission for her admission and for her appearance in the LL.M. 1st year examination as well as permission to do/ pursue the LL.M. Course through correspondence/ distance education from Kurukshetra University, Kurukshetra for the academic sessions 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 and without reserving any future claim of the Officer regarding her qualification if the University is not recognised.

Or

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

Archana Awasthi
Review Officer
Mohd. Arshad
Assistant Registrar
24.08.2021

Hon'ble Mr. Justice Pritinker Diwaker,

Nominated Judge

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

