

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

May kindly see the online application of Sushri Shivani, Addl. 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 Shivani has stated that she wishes to pursue two year course of LL.M. for the academic session 2020-2022 through distance education from Kurukshetra University, Kurukshetra and she would not be required to take study leave as the said course is distance education course and also during the course the studies will not hamper Judicial work in any manner. Thereafter, online objections were sent to the officer through which she was asked to intimate about status of her admission in the said LL.M. course, dates of forthcoming examination and some other details regarding the Course. In reply of the raised objections, the officer has stated that she has taken admission in LL.M. distance education for the session July 2020 from Kurukshetra University in anticipation of Hon'ble Court permission and her tentative exam schedule is from 13<sup>th</sup> August 2021 and also mode of examination is yet not declared due to COVID-19 pandemic. The officer has also stated in her application that she do not need to attend day to day classes for pursuing the said LL.M. course. 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 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 judicial officer has joined the U.P. Nyayik Sewa on date 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. It is also pertinent to mention here that the officer has already taken admission in the LL.M. Course in anticipation of the Hon'ble Court's permission and now wants to appear in the LL.M. 1<sup>st</sup> year examination, appears to be scheduled from 13.08.2021. It is on the discretion of the Hon'ble Court either to regularize the matter by granting ex post facto permission for admission and permission for appearing in the LL.M. 1<sup>st</sup> year examination and 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 Shivani, Addl. Civil Judge (Junior Division), Rampur may be granted ex-post facto permission for her admission in the LL.M. Course as well as permission to appear in the LL.M. 1<sup>st</sup> year examination and to do/pursue the LL.M. Course through Distance education from Kurukshetra University, Kurukshetra for the academic sessions 2020- 2022, 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 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

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

**Nominated Judge**

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

