

Joint Registrar (Judicial) (Budget)

May kindly see the online application of Sri Lalit Singh the then Addl. Civil Judge (Jr. Div.), Kanpur Nagar presently posted as Registrar, Land Acquisition, Rehab & Resettlement Authority, Kanpur Nagar regarding grant of permission to do/pursue LL.M. Course through distance learning from Kurukshetra University.

In his application, Sri Lalit Singh has stated that earlier through his offline application he has intimated the Hon'ble High Court regarding his LL.M. 1st year examination, scheduled in September 2020 through online mode. Thereafter, he was asked to submit fresh application regarding permission to pursue LL.M. course through online portal in the light of Hon'ble High Court's letter dated 31.08.2019. In his online application, the officer has stated as this a correspondence/ distance learning course and no day-to-day classes are required for its completion. He has also stated that no study leave is required and the academic session of the course is 2019-2021. Furthermore, as sufficient time has been elapsed, therefore, the officer was again asked to intimate the current status of LL.M. Course and in reply the officer has stated that he has appeared in 1st year LL.M. online examination in anticipation of Hon'ble High Court Permission for pursuing distance Learning LL.M. programme and has passed 5 subjects out of 6 subjects of LL.M. 1st year and in one subject university has awarded RLA (Result late due to non Availability of Marks) and the result of the same is in process. The officer has further stated that he has promoted to LLM 2nd year and the online examination of LL.M. 2nd year are proposed to be commenced from 11th August 2021 and would end on 27th August 2021. The same is proposed to be conducted in online mode due to COVID-19 pandemic. He has also enclosed prospectus, syllabus, LL.M. 1st year result, LL.M. 2nd year date sheet and other related papers as attachments. It is also pertinent to mention here that as per the orders of Learned Joint Registrar (Judicial) (Budget), the officer was asked to upload LL.M. 1st year marksheet if available and also be asked to intimate as to whether he has appeared in the said examination scheduled from date 11.08.2021 in anticipation of permission from Hon'ble High Court. In reply the officer has uploaded the LL.M. 1st year result as attachment and also stated that he has appeared in all the online examinations of LL.M. 2nd year conducted by University in anticipation of permission from Hon'ble High Court. He has, therefore, requested to kindly place his application before the Hon'ble Court for grant of permission to do/ pursue LL.M. Course through distance learning from Kurukshetra University.

In this connection, it is stated that the officer 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 Court. In the instant case, the officer has stated that he would not take study leave for the said LL.M. Course. It is also pertinent to mention here that the officer has already appeared in all the papers of LL.M. 1st year and LL.M. 2nd year examinations in anticipation of the Hon'ble High Court's permission and also passed the LL.M. 1st year examination, now it is on the discretion of the Hon'ble High Court either to regularize the matter by granting ex post facto permission for his appearance in LL.M 1st year and LL.M. 2nd year examination to the officer or to pass any other order which deems to be proper.

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) Sri Lalit Singh, presently posted as Registrar, Land Acquisition, Rehab & Resettlement Authority, Kanpur Nagar may be granted ex-post facto permission for his appearance in the LL.M. 1st year and LL.M. 2nd year examinations through Distance Learning Programme of Kurukshetra University, Kurukshetra for the academic sessions 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

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)

