

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

May kindly see the online application of Sri Ankur Sharma, the then Additional District & Sessions Judge, Muzaffarnagar presently posted at Sultanpur regarding grant of permission to do/ pursue LL.M. Course through distance education from Kurukshetra University.

In his application, Sri Ankur Sharma has stated that he wishes to pursue LL.M. correspondence course from Kurukshetra University for the academic session January 2021. Thereafter, online objections were sent to the officer through which he was asked to intimate about his admission status, status of taking study leave, and about his appearance in the LL.M. 1st year examinations. In reply of the raised objections, the officer has stated that as he would do/ pursue the course through correspondence medium, so he would not take any study leave for the same and also stated that he has taken admission in the January 2021 academic session in anticipation of Hon'ble High Court's permission but he did not appear in LL.M. Examination. He has also enclosed prospectus and his declaration that he would do the course without attending class on an affidavit as attachments. He has, therefore, requested to kindly place his application before the Hon'ble High Court for grant of permission to do/ pursue LL.M. Course through distance education/ correspondence from Kurukshetra University.

In this connection, it is stated that the officer has joined the Uttar Pradesh Nyayik Sewa on 11.05.2009. There is circular letter dated 04.11.11, 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 he would not take study leave for the said LL.M. Course as this is a correspondence course. It is on the discretion of the Hon'ble High Court either to regularize the matter by granting ex post facto permission for his admission in the LL.M. Course and permission to do/ pursue the 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 his 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) Sri Ankur Sharma, presently posted as Additional District & Sessions Judge, Sultanpur may be granted ex-post facto permission for his admission in the LL.M. course as well as permission to do/ pursue the LL.M. course through distance education/ correspondence from Kurukshetra University, Kurukshetra for the academic session from 2021-2023, 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 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  
17.09.2021

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

**Nominated Judge**

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

