

**I/c Joint Registrar (Judicial) (Budget)**

May kindly see the online application of Sri Sandeep Gupta, Additional District & Sessions Judge, Muzaffarnagar regarding grant of permission to do/ pursue LL.M. Course through distance education from Kurukshetra University.

In his application, Sri Sandeep Gupta has stated that he wants permission to do LL.M. from Kurukshetra University and this is a correspondence course covered under distance education so his work in Hon'ble Court would not be affected. The last date for receipt of application is 20.02.2021. Thereafter, through online objections, the officer was asked to intimate about his admission status, his academic session, status of taking study leave and his declaration regarding no attendance requirement. In reply the officer has stated that the academic session of LL.M. Course (First Year) is January 2021 to December 2021 and he also declared that he would do LL.M. Course from Directorate of Distance Education, Kurukshetra University, Kurukshetra without attending day to day class. He has also stated that he would not take study leave for doing LL.M. Course and has taken admission in the LL.M. course on February 9, 2021 and the LL.M. first year exam would be held in January 2022. He has also enclosed related papers of LL.M. Course and his declaration as attachments. He has, therefore, requested 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 Higher Judicial Services on 29.07.2019. 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 the Chief Justice. In the instant case, the officer has stated that he would not take study leave to pursue the course. Now, as stated by the officer that he has already taken admission in the said LL.M. Course in anticipation of the Hon'ble High Court's permission; and now wants to pursue his LL.M. 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 to grant permission to pursue his 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, Senior Judge (J-1), for His Lordship's kind perusal and if His Lordship approves :-

A) Sri Sandeep Gupta, Additional District & Sessions Judge, Muzaffarnagar may be granted ex-post facto permission for his admission in the LL.M. course and also be granted permission to do/ pursue LL.M. course through Distance education from Kurukshetra University, Kurukshetra for the academic sessions January 2021-December 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 his qualification if the University is not recognised.

Or

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,**

**Senior Judge (J-1)**

Submitted for kind perusal & order

I/c Joint Registrar (Judicial) (Budget)