

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

May kindly see the online application of Smt. Parul Kumari, Judicial Magistrate, Bareilly regarding grant of permission to appear in semester examinations of her regular LL.M. Course from Chaudhary Charan Singh University, Meerut.

In her application, Smt. Parul Kumari has stated that she had taken admission in academic course of LL.M for 2 years in Meerut College in 2018 and has passed 1st & 2nd semester examination. The classes of 3rd and 4th semester has been completed and examination of these semesters are remaining. She has also stated that in the meanwhile she got selected in U.P. Nyayik Sewa and now wants to appear in 3rd and 4th semester examination and for this purpose she would not need any kind of study leave. Thereafter through online objection, the officer was asked to intimate mode of LL.M., about her appearance in 3rd and 4th semester examination and supporting papers from her side and from university regarding no attendance requirement after her joining in U.P. Nyayik Sewa. In reply, the officer has stated that LL.M. course pursued by her was regular and she had completed her 3rd semester classes before joining the U.P. Nyayik Sewa, only 3rd semester exam were left. She has also added that she has taken those exams in March 2021 as an ex-student so there was no need to attend the classes again and classes of 4th semester were suspended due to Covid lockdown, only few recorded lectures were held (relating papers from the university can be seen as attachments). Furthermore, she has stated that there was no regular classes that's why she has not taken any exemption for attendance from College. She has appeared in the exams of 4th semester in October 2020 as well as has not taken study leave for this course and now she wants to take up 2 exams of first semester, proposed to be held in August for the purpose of improving her marks. Therefore, the officer was again asked to submit attendance regarding papers from the university and also asked about her appearance in the said examinations. In reply, the officer has enclosed certificate from the university, which can be seen as attachment and stated that the examination held in August 2020 have been given by her in anticipation of the permission from Hon'ble High Court. Again the officer was asked to clarify the anomaly in the dates of 3rd, 4th semester and remaining papers of 1st semester examinations alongwith the reason of delay for replying to the Hon'ble Court's objection dated 27.09.2021. In reply the officer has stated that the reason of delay in giving reply to objection dated 27.09.2021 that she had to present personally in college to apply for certificate and due to busy schedule, she was unable to go to college earlier, thus the said delay is caused and also stated the dates of examination of 4th semester (24.09.2020 to 07.10.2020), 3rd semester ( and 25.02.2021, 03.03.2021, 05.03.2021, 11.03.2021) and of 1st semester (11.08.2021, 03.08.2021). It is pertinent to mention here that as asked by Ld. I/c Joint Registrar (J) (Budget), the officer was asked to upload 3rd semester marksheet and marksheets of all semesters/back papers etc. if issued, by the university. In reply, the officer has enclosed marksheets of all the semesters, which can be seen under attachment heading 'LL.M. Marksheet". She has also submitted her declaration that no classes of LL.M. Course were attended by her after joining U.P. Nyayik Sewa. She has also enclosed her LL.M. 1st and 2nd semester marksheet, papers from University regarding no attendance requirement for 4th semester and other LL.M. relating papers as attachments. She has, therefore, requested for grant of permission to appear in 3rd and 4th LL.M. Course from Chaudhary Charan Singh University, Meerut.

In this connection, it is stated that the officer has joined the Uttar Pradesh Nyayik Sewa on 17.12.2019. 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 has not taken study leave for the course and declared that no LL.M. classes has been attended by her after joining the U.P. Nyayik Sewa. In the instant case, the officer has stated that she has appeared in the LL.M. 3rd, semester, 4th semester examinations and 2 papers of LL.M. 1st semester examinations in anticipation of permission from Hon'ble High Court; Now It is on the discretion of the Hon'ble High Court either to regularize the matter by granting ex post facto permission for her appearance in 2 papers of LL.M. 1st semester, LL.M. 3rd semester and LL.M. 4th semesters examinations to the officer or to pass any such order which deems to be proper.

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) Smt. Parul Kumari, Judicial Magistrate, Bareilly may be granted ex-post facto permission for her appearance in two papers of LL.M. 1st semester examinations and for her appearance in 3rd and 4th semester examination of her regular LL.M. course from Chaudhary Charan Singh University, Meerut for the academic sessions 2018- 2020, 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

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)