

Joint Registrar (Judicial) (Budget)

May kindly see the online application of Smt. Anshul, Additional Civil Judge (Junior Division), Mathura regarding grant of permission to do/ pursue LL.M. Course through distance learning from Kurukshetra University.

In her application, Smt. Anshul has stated that she wishes to apply for LL.M. course through distance education mode from Kurukshetra University for the session 2021-2022 and as this is a distance education programme, there is no need to attend regular classes. She has also declared that she do not seek any study leave for the same and the exams are to be held in the month of December 2021 tentatively. Thereafter, online objection was sent to the officer through which she was asked to intimate about her admission status in the said LL.M. course and complete academic session. In reply the officer has stated that she has taken admission in the aforesaid LL.M. course, in anticipation of the Hon'ble High Court's permission and the academic session of LLM would be 2021-2022 and she has further declared that the course would be pursued through distance mode and there is no need to attend day to day classes. She has also enclosed prospectus of the LL.M. Course as attachment. She 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 Nyayik Sewa on 26.11.2019. 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 Court. In the instant case, the officer has stated that she would not take study leave to pursue the 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 High Court's permission. It is on the discretion of the Hon'ble High Court either to regularize the matter by granting ex post facto permission for her admission in the LL.M. Course and permission 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) Smt. Anshul, Additional Civil Judge (Junior Division), Mathura may be granted ex-post facto permission for her admission in the LL.M. Course and permission to do/pursue the LL.M. Course through distance education from Kurukshetra University, Kurukshetra for the academic sessions 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 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)

