

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

May kindly see the online application of Sushri Suman, Civil Judge (Junior Division), Baghpat regarding grant of permission to do/pursue LL.M. Course through distance learning from Kurukshetra University, Kurukshetra, Haryana.

In her application, Sushri Suman has stated that she wishes to pursue LL.M course through distance education and she has ensured that her judicial work would not be affected in any manner while pursuing the LL.M. course. Thereafter, through online objections, she was asked to intimate about her status of study leave, academic session, declaration regarding no attendance requirement, admission status and about her appearance in the said examination. In reply, the officer has stated that the course curriculum is through correspondence mode and therefore no study leave is required to pursue the course and her LL.M. course relates to academic session January 2021-23. She has also stated that she has taken admission in the correspondence LL.M. course in anticipation of permission from Hon'ble High Court and ensured that no judicial work would be affected in any manner. She has further stated that she has not taken any examination of LL.M. in anticipation of permission of Hon'ble High Court and as the LL.M. course is through correspondence and hence has declared that she is not required to attend classes of LL.M. course. She has also attached her earlier offline letter and identity card as attachment. She has, therefore, requested for grant of permission for pursuing LL.M. Course through distance education from Kurukshetra University, Haryana.

In this connection, it is stated that the officer has joined the Uttar Pradesh Nyayik Sewa on 18.11.2019. 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 the Chief Justice. In the instant case, the officer has stated that no 'study leave' would be required to her as this a distance learning programme and as she has taken admission in the LL.M. Course in anticipation of permission of Hon'ble High Court and now wants to pursue the course, therefore, it is on the discretion of Hon'ble High Court either to grant ex post facto permission for her admission 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) Sushri Suman, Civil Judge (Junior Division), Baghpat may be granted ex-post facto permission for her admission in the LL.M. Course as well as be granted permission to do/pursue LL.M. Course through distance learning from Kurukshetra University for the academic Sessions 2021-23, 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  
16.11.2021

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

Submitted for kind perusal & order

Joint Registrar (Judicial) (Budget)