

Joint Registrar (Judicial)(Budget)

May kindly see the online application of Sri Kamesh Shukla, Additional Legal Advisor to Hon'ble The Governor, U.P., Lucknow regarding grant of permission to apply for and pursue part-time Ph.D. (Law) course from University of Lucknow.

In his application, the officer has stated that he had obtained the LL.M. degree from University of Allahabad and wishes to pursue higher education in the form of part-time Ph.D. in Law course from University of Lucknow in academic session 2020-21. The last date for submission of application form for the said course is 03.05.2021. As per the information provided by the Lucknow University the University and the said part-time Ph.D. Course are recognized by the UGC and no day to day classes are required except for the stay of research scholars at the research place for six days per semester (May be seen as provided as attachment). It is further submitted that since the mode of education will be part-time it shall not affect any of his official duties or in any way shall not hamper the work allotted to him. He has, therefore, prayed that the matter may kindly be placed before the Hon'ble Court for granting him permission to apply for and pursue the said part-time Ph.D. (Law) course from University of Lucknow.

In this connection, it is stated that Sri Kamesh Shukla has joined the U.P. Nyayik Sewa on 07.05.2009. There is a 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 the Course will be pursued as part time course and no day to day classes are required except for the stay of research scholars at the research place for six days per semester. He has not shown any details as to whether he will take any study leave or not. 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 The permission can be withdrawn without notice if; it is found at any time that the government servant neglects his normal work or that public work suffers, in any way.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 His Lordship's kind perusal and if His Lordship approves:-

(a) Sri Kamesh Shukla, Additional Legal Advisor to Hon'ble The Governor, U.P., Lucknow may be granted permission to apply for and pursue part-time Ph.D. (Law) course from University of Lucknow in academic session 2020-2021, subject to above mentioned conditions and without entering into the fact whether the University is recognised by UGC 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 .

Balram Ji Verma, R.O. 30.04.2021

Mohd. Arshad, A.R.

Hon'ble Mr. Justice Pritinker Diwaker,

Nominated Judge

Submitted for kind perusal & order

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