

Joint Registrar (J) (Budget)

May kindly see the online application of Sushri Pratibha Shukla, Civil Judge (Junior Division) (FTC), Unnao regarding grant of permission for admission and to do/pursue LL.M. Course through distance education from Kurukshetra University, Kurukshetra, Haryana.

In her application, Sushri Pratibha Shukla has stated that she wants to pursue LL.M. from Kurukshetra University, Kurukshetra and the examinations for the first year are scheduled to be held from 13th August 2021 and she wants to appear in the same. Thereafter, through an online objection, she was asked to intimate about her admission status and status of taking study leave. In reply of the same, the officer has stated that She has yet not taken admission in the LL.M. Course and also stated that she do not require any study leave for LL.M. Course and also declared that she will not attend the day-to-day class as this is a distance education course. Thereafter, she was again asked to clarify that how she can appear in the LL.M. 1st year examination, scheduled from 13th August 2021, without completing first year studies as she has stated that she wishes to take admission in the LL.M. Course for academic session July 2021-2023 and again in reply, the officer has stated that the prospectus of Kurukshetra University mentioned examinations to be held from August 2021 for both January 2021 and July 2021 session but upon seeking confirmation from them, it has been informed that the examination for July 2021 session will be held in April-May 2022, thus the officer seeks an apology from the Hon'ble Court for stating the wrong dates of examination and stated that she has no malafide intentions and added that the late date of admission for the July 2021 session is 31st August 2021. She has also enclosed prospectus and her self declaration as attachments. She has, therefore, requested for grant of permission for admission and pursuing LL.M. Course through distance education from Kurukshetra University, Haryana.

In this connection, it is stated that Sushri Shukla has joined the U.P. Nyayik Sewa on 15.11.2019. 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 she wishes to take admission for the academic session 2021-2023 and thereafter wants to pursue LL.M. Course through distance education from Kurukshetra University and also stated that no 'study leave' would be required as this a distance learning programme, her request appears to be considerable. However acceptance of her request is on the discretion of the Hon'ble Court. 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 Pratibha Shukla, Civil Judge (Junior Division) (FTC), Unnao may be granted permission for admission and to do/pursue LL.M. Course through distance education from Kurukshetra University for the academic Sessions July 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 UGC 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

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