

## **Registrar (Judicial) (Budget)**

May kindly see the online application of Smt. Priti Singh-II, A.D.J. (FTC), Baghpat regarding grant of permission to pursue one year regular LL.M. Course from Shobhit Institute of Engineering & Technology, deemed to be University, Meerut.

In her application, Smt. Priti Singh-II has stated that she wants to pursue LL.M. (1 year) course, which is designed for working professionals from Shobhit University, Meerut, and has requested to grant her permission for the same.

As from available papers, it appears that the said course is not a correspondence course but 1-year full-time program/ course i.e a kind of regular course, accordingly, through online objections, the officer has been asked to intimate her status of taking study leave, academic session and rules/ provisions under which, she is entitled to get permission to pursue a regular course. In reply, the officer has submitted the following:-

- The LLM course offered by Shobhit University (Deemed) is specifically designed for working professionals and is recognized by the Bar Council of India (BCI). The lectures are conducted online or provided in recorded format to ensure minimal disruption to the working hours of professionals as per the new education policy.
- Based on the course requirements stated in the issued certificate, which has been duly certified and shared with the application, there is no need for study leave.
- The applicant is ready to give an undertaking of declaration that present course shall not affect court work at all.
- The admission is being sought for academic session 2023-24 .
- As per Hon'ble Supreme Court guidelines, judicial officers are being encouraged to join LLM courses so as to enhance their skill set & analytical sagacity in judgment writing.

The officer has again requested early permission to join the course to prevent any loss of studies.

In this connection, it is stated that the officer has joined the Uttar Pradesh Nyayik Sewa on 18.04.2009. There is a circular letter dated 04.11.11, 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 she would not avail any study leave for the said Course. It is also pertinent to mention here that this a regular course but the officer has stated and it is also mentioned in the admission offer letter from the institute that :

**Mode of Lecture Delivery: The School of Law & Constitutional Studies, opted for blended learning and the lectures will be delivered in person/ Online mode on Saturday and Sundays. We will also provide you recorded lectures so that your working in court would not hamper as this 1 Year LLM program is for those working professionals who have more than 3 years' experience post their LLB.**

The officer has also been asked about the fact that how she can pursue a regular course in spite of being in service and in reply of the same the officer has not submitted any satisfactory explanation and added that as per the Hon'ble Supreme Court's guidelines, Judicial Officers are being encouraged to join LL.M. courses so as to enhance their skill set & analytical sagacity in judgment writing. Now it's up to the discretion of Hon'ble Senior Judge (J-1) either to grant her permission to pursue a one-year regular full-time course on account of submission of the officer that the lectures are conducted online or provided in a recorded format to ensure minimal disruption to the working hours of professionals as per the new education policy, or to pass any other order. It is also submitted that a Judicial Officer if accorded permission, to attend academic classes and specialized higher studies in terms of G.O. No.24/1066-Appointment (B) dated 21.08.1967, it will be 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.

It is further to mention here that recently, vide order dated 23.04.2023 regarding reconstitution of different Committees, Hon'ble The Chief Justice has been pleased to form a single Hon'ble Judge Committee i.e. Hon'ble Senior Judge (J-1) to deal with the matter of grant of permission to Judicial Officers to pursue academic courses.

May, therefore, if approved, the instant matter may be laid before Hon'ble Mr. Justice Surya Prakash Kesarwani, Senior Judge (J-1), for His Lordship's kind perusal and if His Lordship approves:-

(a) Smt. Priti Singh-II, A.D.J. (FTC), Baghpat may be granted permission to pursue **one year full-time LL.M. course** in the academic session 2023-2024 from Shobhit Institute of Engineering & Technology, deemed to be University, Meerut with the exemption of the requirement to take study leave for the same and without entering into the fact whether the University is recognized by UGC or not as well as without reserving any future claim of the Officer regarding her qualification if the University is not recognized and also subject to the conditions mentioned above.

Or

(b) to pass any other order which His Lordship deems fit and proper.

Archana Awasthi, Review Officer  
Munmun Narang, Section Officer  
Meetu Verma, Assistant Registrar  
Admin A-IV

**Hon'ble Mr. Justice Surya Prakash Kesarwani,**

**Senior Judge (J-1)**

Submitted for kind perusal & order

Registrar(Judicial) (Budget)

