

Registrar (J) (Budget)

May kindly see the online application of Sushri Khushboo Chandra, Nyaydhikari, Gram Nyaylaya, Manikpur- Chitrakoot regarding grant of permission to pursue part-time Ph.D. in from Teerthanker Mahaveer University, Moradabad, U. P. for session 2024-27..

In her application, Sushri Khushboo Chandra has stated that she would like to pursue part time PH.D programme by getting herself enrolled in 3 year Ph. D programme of Teerthanker Mahavir University, Moradabad, U. P. for session 2024-27 and added that by pursuing further studies, her working as a judicial officer in Court would not be affected in any way. Thereafter, through online objection, the officer has been asked to intimate time consumption and papers relating to no class requirements etc. In reply the officer has submitted her reply which is as follows:-

1. The course is a part time Ph. D. course which shall be completed in 3 years of tenure.
2. No day to day class will be held for the said course.
3. There will be minimum course work classes in first 6 months period only and those classes will be held in hybrid (online) mode on weekends.
4. She has also declared that by pursuing above course her duties and work as a judicial officer would not be affected in any manner.
5. since the admission process is yet not complete and she has not yet assigned the topic for Ph. D. The guide would be appointed after completion of course work and thereafter she would submit the research work.
6. She would not require any study leave for the pursual of above course.
7. She has also enclosed the prospectus and other relating documents wherein it is mentioned that the course is a part time course and requires minimum physical attendance; which can be seen as attachments.

She has therefore, requested to place her application before the Hon'ble Court for grant of permission to pursue part time Ph.D. course in Law from Teerthanker Mahaveer University, Moradabad, U. P.

In this connection, it is stated that Smt. Khushboo Chandra has joined the U.P Nyayik Sewa on 16.12.2019. There is 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 that as it is part time course, she would not take study leave for doing the aforesaid part time Ph.D. course and added that it would not hamper her judicial work as it is part time course. In the Now, It is on the discretion of the Hon'ble High Court either to grant her permission to pursue part-time Ph.D. in Law from Teerthanker Mahaveer University 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.

Recently, vide order dated 30.11.2023 relating to re-constitution of Committees, Hon'ble The Acting Chief Justice has been pleased to change the single Judge Committee appearing at sl. no. 3 of the list of Committees dated 23.04.2023- last modified on 29.08.2023, and Hon'ble Mr. Justice Anjani Kumar Mishra is nominated in the said Committee, to deal with the matters relating to grant of permission to Judicial Officers to pursue academic course.

May, therefore, if approved, the file may be laid before single Judge Committee of Hon'ble Mr. Justice Anjani Kumar Mishra, as per order dated 30.11.2023 of Hon'ble The Acting Chief Justice relating to re-constitution of Committees, for His Lordship's kind perusal and if His Lordship approves:-

(a) Sushri Khushboo Chandra, Nyaydhikari, Gram Nyaylaya, Manikpur- Chitrakoot may be granted permission to pursue part time Ph.D. course in Law from Teerthanker Mahaveer University, Moradabad, U. P., starting from the academic session 2024-2027 with exemption of the requirement to take study leave for the same 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, 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 Anjani Kumar Mishra,

Nominated Judge

Submitted for kind perusal & order

Registrar (Judicial) (Budget)

