

Registrar (J) (Budget)

May kindly see the online application of Smt. Shipra Singh-II, Addl. Civil Judge (Junior Division), Mathura regarding grant of permission to do/ pursue LL.M. course through distance learning from Kurukshetra University, Kurukshetra, Haryana.

In her application, Smt. Shipra Singh-II has stated that prior to joining in service she has taken admission in LL.M. course in the year June 2019 (session May-June 2019) through distance education from kurukshetra University, Kurukshetra, Haryana and has completed her LL.M course in year 2021 (During covid pandemic). She has also stated that she was unaware of the fact that despite she had taken admission before joining in judicial services, she should apply for permission for appearing in examination for LL.M. from distance education and due to her fault, she is sending this intimation after she acquainted with this fact. Thereafter, through online objection, the officer has been asked to intimate the reason for intimating about this course after the lapse of 5 years from her joining in U.P. Nyayik sewa and also be asked to submit her declaration regarding no class requirement and her status of taking study leave. In reply, the officer has again clarified that prior to joining in service she has taken admission in LL.M. course in the year June 2019 (session May -June 2019) through distance education from kurukshetra University, and has completed LL.M course in year 2021 (During covid pandemic). She has again stated that she was unaware of the fact that despite taking admission before joining in judicial services, she should apply for permission for appearing in examination for LL.M and for this she has also apologised. She has also attached LL.M. marksheets and degree of kurukshetra university which can be seen as attachments. She has also submitted her declaration (can be seen under attachment heading "Declaration") wherein she has stated that she has not taken study leave and also has not attended any day to day/ physical classes. She has also stated that she has appeared in the LL.M. examinations by taking casual leaves only. She has, therefore, requested to Hon'ble Court to kindly grant her permission to do/ pursue the stated LL.M. course from the aforesaid university.

In this connection, it is stated that Smt. Shipra Singh-II 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 she has not taken study leave for this LL.M. course and appeared in the examinations by taking casual leave only. In the instant case, it is pertinent to mention here that the officer has pursued and completed her LL.M. and after completing the same after the lapse of five years from her joining has applied for the permission. Furthermore reagrding this delay the officer has stated that she was unaware of the fact that despite taking admission before joining in judicial services, she should apply for permission for appearing in examination for LL.M and for this she has also apologised. Now, It is on the discretion of the Hon'ble High Court either to regularize the matter by granting ex post facto permission for her appearance in LL.M 1st year and LL.M. 2nd year examinations 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.

Recently, vide order dated 01.07.2024 relating to re-constitution of Committees, Hon'ble The Chief Justice has been pleased to reconstitute the single Judge Committee appearing at sl. no. 65 of the list of Committees dated 01.07.2024 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 01.07.2024 of Hon'ble The Chief Justice relating to re-constitution of Committees, for His Lordship's kind perusal and if His Lordship approves:-

(a) Smt. Shipra Singh-II, Addl. Civil Judge (Junior Division), Mathura may be granted ex-post facto permission for her appearance in the LL.M. 1st year examination and LL.M. 2nd year examinations of LL.M. Course through Distance Learning Programme of Kurukshetra University, Kurukshetra for the academic session 2019-2021, 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

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)

