

Registrar (J) (Budget)

May kindly see the online application of Sri Ravindra Kumar Dwivedi, Judge, Special Court, Anti Corruption CBI (C) Lucknow regarding grant of permission to do/ pursue LL.M. course from Maharishi University of Information Technology in the academic session 2024-2025.

In his application which can be seen as attachment, Sri Ravindra Kumar Dwivedi has stated that to improve his skills, enhance his ability and put better service, he wishes to pursue LL.M. Course from Maharishi University of Information Technology in the academic session 2024-2025. He has also stated that the University is duly recognized by U.G.C. and its LL.M. course is also recognized by UGC (letter can be seen as attachment) and the LL.M. duration is of two year starting from 2024-2025. The course is a regular course but the classes would be held only on Saturdays and Sundays, therefore it would not hamper his day to day judicial functioning. He has further added that he may attend the classes at Noida center as all Sundays 2nd and 4th Saturdays are holidays and even after attendance of above 70% only, he would be eligible to participate in the examination. Thereafter, through online objection, the officer has been asked to intimate his status of taking 'study leave'. In reply of the same the officer has stated that study leave would not be required to pursue course as classes would be held on holidays and would pursue his study after Court hours without affecting his judicial work. He has also attached the prospectus of the said university and certificate of affiliation of course and the university, which can be seen as attachments. He has, therefore, requested to Hon'ble Court to kindly grant him permission to do/ pursue the stated LL.M. course from the aforesaid university.

In this connection, it is stated that Sri Ravindra Kumar Dwivedi has joined the U.P. Nyayik Sewa on 16.06.2006. There is 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 study leave would not be required to pursue course as classes would be held on holidays and would pursue his study after court hours without affecting his judicial work.

It is also pertinent to mention here that this is a regular course but the officer has enclosed an attachment namely certificate of affiliation of course of the university wherein it is mentioned that the classes for the LL.M. program would be conducted on Saturday and Sunday. Further, through his online application dated 10.04.2024 (in attachments) the officer has stated that he may attend the classes at Noida centre as all Sundays 2nd and 4th Saturdays are holidays and even after attendance of above 70% only, he would be eligible to participate in the examination.

Now, It is on the discretion of the Hon'ble High Court either to grant permission to he officer to do/ pursue his LL.M. course 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 his 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) Sri Ravindra Kumar Dwivedi, Judge, Special Court, Anti Corruption CBI (C) Lucknow may be granted permission to do/ pursue LL.M. Course starting from the academic session 2024-2025 from Maharishi University of Information Technology, with exemption of the requirement to take study leave for the same 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 his qualification if the University is not recognised, subject to the conditions mentioned above.

Or

To pass any other order, which His Lordship deems fit and proper.

Archana Awasthi
Review Officer
Munmun Naranag
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)

