

### **Registrar (J) (Budget)**

May kindly see the online application of Sushri Subuk Muskan, Civil Judge (Junior Division), Farrukhabad regarding grant of permission to appear in the last semester examinations of her LL.M. course in order to complete her LL.M. course from Aligarh Muslim University for the academic session 2022-2024.

In her application Sri Subuk Muskan has stated that she had taken admission and had been pursuing her LL.M. course from Aligarh Muslim University since the year 2022, that is, before joining UP judicial services and has passed all three semesters positively prior to her joining in the service (copies of marksheets of earlier three semesters can be seen as attachment). She has also stated that regarding to the fourth and the final semester, the attendance requirements have been fulfilled prior to the joining of this service and only examination of the fourth semester is pending for which no study leave is required. The examinations are likely to be conducted by the University in the third week of May, 2024, but the detailed program/schedule for the same has not been released yet and also for dissertation submission, no such class activity is required and the officer has stated that the same can be completed by her in the spare time before and after the working hours of the Court as also in holidays. She has further added that for appearing in LL.M. fourth semester examinations, casual leave of 4-5 days would be sufficient. She has also assured that by pursuing of remaining exams of LL.M. course, would in no manner come in the way of performing the judicial work by her. She has therefore requested to place her application before the Hon'ble Court to grant her permission to appear in the fourth semester examinations of LL.M. course and permission for submission of dissertation.

In this connection, it is stated that Sushri Subuk Muskan has joined the U.P. Nyayik Sewa on 04.01.2024. 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 passed all three semesters positively prior to her joining in the service the attendance requirements have also been fulfilled prior to the joining of this service. Now, It is on the discretion of the Hon'ble High Court either to grant permission to the officer to appears in the last semester examinations of her LL.M. course and also permission to submit her dissertation 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) Sri Subuk Muskan, Civil Judge (Junior Division), Farrukhabad may be granted permission to appear in the last semester examination of LL.M. Course and also permission to submit her LL.M. dissertation to Aligarh Muslim University for the academic session 2022-2024, 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 her 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)

