

Registrar (J) (Budget)

May kindly see the online application of Sushri Harshita Singh, Additional Civil Judge (Junior Division), Raebareli regarding grant of permission to appears in the last semester examination of her LL.M. course from Shri Ram Swaroop Memorial University, Lucknow in the academic session 2023-2024.

In her application Sushri Harshita Singh has stated that prior to her joining of U.P. Judicial Services, she was enrolled in the course of LL.M. (Constitutional and Administrative Law - Blended/ Online Mode) at Shri Ramswaroop Memorial University, Lucknow, Uttar Pradesh for the academic session 2023-2024 (copy of her admission related papers can be seen as attachments) and has completed the first semester examination of LL.M. course prior to joining the U.P. Judicial Services, however, she was not able to conclude end semester examinations of the second semester (Final Semester). She has also stated that the end semester examinations of LL.M. Course is scheduled on 07.05.2024, 09.05.2024, 11.05.2024 and 14.05.2024 (date sheet can be seen as attachment) and for that she needs only 03 (three) days casual leave and also it would not in any way hamper her training at District and Sessions Court, Raebareli. She has further intimated that she has neither taken any Study Leave nor does intend to take any Study Leave in future to pursue this course. She has also enclosed a 'No Objection Certificate' from the University (can be seen as attachment), wherein it is mentioned that her attendance is more than 75%, thus she can appear in the last semester examination. She has also enclosed the mark sheets of her first semester examination, which can be seen as attachment. She has, therefore, requested to Hon'ble Court to kindly grant her permission to appear in the last semester examination of LL.M. course from the aforesaid university.

In this connection, it is stated that Sushri Harshita Singh 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 neither taken any Study Leave nor does intend to take any Study Leave in future to pursue this course and by taking casual leave she wants to appear in the last semester examinations only. It is also pertinent to mention here that this is a regular, however in the attached 'No Objection Certificate' from the University, it appears that she has completed the required attendance criterion. Now, It is on the discretion of the Hon'ble High Court either to grant permission to the officer to appear in the last semester examinations of her LL.M. course 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 Harshita Singh, Additional Civil Judge (Junior Division), Raebareli may be granted permission to appear in the last semester examination of her one year LL.M. Course from Shri Ram Swaroop Memorial University, Lucknow in the academic session 2023-2024, 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)

