

Registrar (J) (Budget)

May kindly see the online application of Sushri Akanksha Pathak, Addl. Civil Judge (Junior Division), Gorakhpur regarding grant of permission to appear in Viva Voce of the Ph.D. Course, topic of which is "Media Trial and Infringement of Right to Reputation and Privacy:- Contemporary Issues and Challenges" from Dr. Ram Manohar Lohiya National Law University, Lucknow.

In her application Sushri Akanksha Pathak has stated that before joining judicial services, she was pursuing Ph.D from Ram Manohar Lohia National Law University, Lucknow and her Ph.D course has been completed and thesis has been submitted on 15/01/2024 i.e. before joining in U.P. Nyayik Sewa and only viva voce remains to be conducted now. Thereafter, through online objection, the officer has been asked to intimate the date of his viva-voce nad also be asked to submit paprs relating to her registration in the Ph.D. In reply the officer has stated that her Ph.D viva voce date was on 10/06/2024 for which she had taken a casual leave with the permission of Director of JTRI, Lucknow as she was undergoing training there and regarding her registration date which is 11/01/2021 she has enclosed relating paper from the University which can be seen under attachment heading "Registration Certificate into Ph.D. Course". She has, therefore, requested to the Hon'ble Court to kindly grant her permission to appear in the Viva Voce Examination of Ph.D. thesis

In this connection, it is stated that Sushr Akanksha Pathak has joined the U.P. Nyayik Sewa on 01.03.2024. 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 completed all the formalities prior to her joining and has also appeared in the stated viva voce, thus there appears no need of taking any study leave in question. Now, It is on the discretion of the Hon'ble High Court either in order to regularize he matter to grant ex-post facto permission to the officer for her appearance in the viva voce examinations of his Ph.D. thesis 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 01.07.2024 relating to re-constitution of Committees, Hon'ble The Chief Justice has been pleased to change 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) Sushri Akanksha Pathak, Addl. Civil Judge (Junior Division), Gorakhpur be granted ex-post facto permission for her appearance in Viva Voce of the said Ph.D. Course, topic of which is "Media Trial and Infringement of Right to Reputation and Privacy:- Contemporary Issues and Challenges" from Dr. Ram Manohar Lohiya National Law University, Lucknow, as requested.

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)

