

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

May kindly see the online application of Sri Shobhit Ray, A.C.J.M. (Railway), Ghaziabad regarding grant of permission to do/ pursue LL.M. (weekend programme) course from Gautam Budhha University, Greater Noida, U.P., for the academic session 2024-2026.

In his application Sri Shobhit Ray has stated that he wants to apply for LL.M. (2 years) (Weekend Programme) Course from Gautam Budhha University and the university provides required course of LL.M. (weekend Programme) for working professionals and it is passed by U.P State Government & approved by USC & NACC and the LL.M. (weekend programme) is also Passed by the ordinance of the courses by the University (realting paper can be seen as attachment). He has also stated that he wants to pursue admission for the academic session 2024 -2026 and this LL.M. (weekend programme) consists two years course with four Semesters and the mode of the class is off- line and it runs on (I, II, III, IV Saturday & Sunday) of every month from 9:00 am to 4:00PM (relating paper can be seen as attachment) and out of four Saturday & Sunday, three Saturday & Sunday classes are Compulsory. He has also stated that as per university ordinance, 75% attendance is compulsory and according to judicial Services Rules, all the Sunday and II & IV Saturday are holiday, only first and third Saturday is working day. By Including all the weekend holiday which is provided to him & holiday declared by the Hon'ble High Court, the attendance is required by the university would be fulfilled & he would not require any CL or EL for attending the classes. The officer has also declared that he would not take any study leave to pursue the said course except leave to appear in the examination and as per G.O. NO 24/10166, Government servant is entitled to attend academic classes and lectures outside office hours with the permission of the head of the office and the last date for submission in the said course is scheduled on 20-September 2024. He has also enclosed prospectus, syllabus, Ordinance, timetable of the aforesaid course, 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. (weekend programme) course from the aforesaid university.

In this connection, it is stated that Sri Shobhit Ray has joined the U.P. Nyayik Sewa on 14.06.2018. 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 he would not be required to any study leave to pursue the said course except leave to appear in the examination and added that he would not be required any CL or EL for attending the classes. However, it is noteworthy to mention here that it appears that the officer wants to pursue a regular course stated to be done through weekend classes. Now, It is on the discretion of the Hon'ble High Court either to grant permission to the officer to do/ pursue the aforesaid 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 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) Sri Shobhit Ray, A.C.J.M. (Railway), Ghaziabad may be granted permission to do/ pursue the LL.M. course (weekend programme) from Gautam Budhha University, Greater Noida, U.P., for the academic session 2024-2026, 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 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)

