

From,

Pradeep Kumar Jayant,  
Special Judge (DAA. Act),  
Hamirpur.

To,

The Registrar General  
Hon'ble High Court of Judicature at  
Allahabad.

Through,

The District Judge,  
Hamirpur.

Subject- Representation against Annual Confidential Remark given  
by respected District Judge Hamirpur for the year 2022-23.

Respected Sir,

Most humbly, I beg to submit my humble representation against Annual Confidential Remark given by learned District Judge Hamirpur for the year 2022-23 on 04.07.2023 for which I present following submissions before the Hon'ble Court to consider in my favour:

1. In the column 01(a) of the ACR learned District Judge has stated my integrity 'extremely doubtful'.

In this regard I have to state that the above assessment of learned District Judge regarding integrity is against the fact and self contradictory. Firstly, the learned District Judge has not assigned any reason or any material against me. Secondly, the learned District Judge has treated me fair in dealing with the public and Bar in column no. 01(b) and the learned District Judge has stated my private character is satisfactory in column no. 01(d). It is, therefore, the assessment of learned District Judge regarding my integrity is not only self contradictory but also against his own assessment.

It is noteworthy that during assessment year i.e. 2022-23 or be after assessment year , no oral or written complaint has been made against me because I have never received any complaint against me from District Judge. I have performed my duties with full honesty as well as without any fear or favour.

2. In the column no. 01(f) learned District Judge has stated that the appreciation of evidence in judgments is not well.

In this regard I have to state that I have passed the judgment with full honesty and diligence, more so, appreciation of evidence has

been done by me with full of my legal knowledge and within legal parameters. It is worthwhile to mention that no adverse comment has been passed by appellate Court regarding my judgments ever.

Hence, the remark of learned District Judge regarding my judgments is baseless and against the fact.

3. In the column 01(j) learned District Judge has stated that my behavior in relation to brother officers is not good.

In this regard I have to state that in my entire tenure at District Hamirpur as well as judicial service, I have never had a bad relationship with the officers. My relations with all the officer have been very good and still are today. It is notable, that the learned District Judge has casually stated regarding my relation with officer while no unwanted incident has taken place between me and other officers.

Hence, the remark of the learned District Judge regarding my behavior in relation to brother officers is baseless and against the fact.

4. In the column no. 01(m), learned District Judge has stated that I am not amenable to the advice of District Judge.

In this regard I have to state that after the sad demise of my beloved mother on 05.01.2023 after prolonged treatment as inpatient in District hospital Hamirpur, KMC Kanpur Nagar, Medanta Hospital Lucknow and SGPGI Lucknow since 22/12/2022, I have messaged this information regarding SHANTI PATH on whatsapp group of Hamirpur Judgeship but my Ld. District judge reacted very badly (Enclosed as annexure-1') This information was general information and was not unwanted in any manner. At that time I was deeply saddened by sad demise of my beloved mother and being disturbed by the insensitive behavior of the learned District Judge, I sent a message that 'a person can not be God' on group. After that, I deleted this message immediately which shows that I had no intention to oppose or disrespect to the learned District Judge, rather, I sent this message on a sudden impulse because I was shocked by the sad demise of my beloved mother. It is also noteworthy that in this regard, I had apologized after meeting the learned District Judge. It is also worth mentioning that being a senior judicial officer, I am very well aware of the dignity of the post of District Judge.

5. In the column 4 of the ACR learned District Judge has adversely commented regarding the quality of judgments passed by me.

In this regard I have to state that I have passed the

judgments with full honesty and diligence. No adverse remark has been ever received from appellate Court regarding my judgment. So far as the format of judgment is concerned, in this regard, I have to state that I have referred to the cross-examination as required and passed the judgment after proper/legal appreciation of evidence.

Hence, this remark of the learned District Judge is against facts.

6. In the column 4 of ACR, the learned District Judge has stated that false mentioning of data regarding disposal of Action Plan 2022-23.

In this regard I have to state that from 01.04.2022 to 04.07.2022, I was posted as District Sultanpur as Additional District & Sessions Judge. From 06.07.2022 to 06.02.2023, I was posted at District Hamirpur as Special Judge, E.C. Act as well as Gangster Act and from 07.02.2023 to 31.03.2023, I was posted at District Hamirpur as Special Judge (DAA. Act). Meaning thereby, during assessment year 2022-23, I was posted at District Sultanpur and District Hamirpur in various courts. I have disposed targeted cases under Action Plan 2022-23 in each courts, as it is clear that the targeted cases under Action Plan 2022-23 are different for each court and officers wise differently. Because of this, the number targeted cases remained less and disposed cases became more. It is also mention that due to transfer of jurisdiction/Court and this fact already mention earlier in my self assessment as well as supplementary information/statement dated 31/05/2023 as required by my District Judge on 31.05.2022 even I have submitted my self assessment alongwith all statements on 25.04.2023 online as well as in hardcopy as directed. Which should be taken positively in my favour.

It is notable that the statement of Action Plan cases were sent to the learned District Judge every month but the learned District Judge never made any adverse comment on the statement nor gave any directions regarding the statement of Action Plan cases. Due to being in different courts and the target of different courts being different the disposal exceeded the target. It is also mention here that no proper distributed/ approved action plan 2022-23 was made available in compliance of Hon,ble Court vide D.O. No.C-148/CF(B)/2022,dated 26/03.2022,when I have joined as Spl Judge(E.C.Act),Hamirpur on 06/07/2022 and disposed the cases from list available in the concerned Court and submit regular monthly progress/statement to Ld. District Judge. This is the actual disposal which can be verified online or offline.

4

Hence, the remark of the learned District Judge is against the fact.

7. In the column no. 4 of ACR, learned District Judge has stated regarding manipulation in trying to avail journey leave not entitled to.

In this regard I have to state that I had to attend JTRI Lucknow for the training program from 01.11.2022 to 05.11.2022 as per the direction of Honorable Allahabad High Court. As per the instructions received from JTRI, I had to report at JTRI by the evening of 31.10.2022. For this, I have seek the permission form learned District Judge and the same was allowed by In-charge District Judge on 29.10.2022(copy enclosed as annexure-11. On 30.10.2022 my son's health suddenly worsened and since I had got permission from I/C District Judge as my Ld. D.J was out of station, I left the headquarter on 30.10.2022(sunday) and attended JTRI on 31.10.2022 as per instructions received from JTRI. Thereafter, leaned District Judge has issued D.O. Letter to me and the same was replied by me on 07.11.2022 along with the medical papers of my son. On the kind advice of my District Judge, I have withdrawal my online application dated 31.10.2022 and submitted application for CL for 31.10.2022 in deference to the oral order of the learned District Judge while I was entitled for journey leave according to the provisions contained in subsidiary rule 173 and 174 read with F.R.9(6)(b)(i) of Financial Hand Book Vol. II Part II to IV. ( Relevent prior sanctioned journey period cum station leave application and provision) of journey time enclosed as annexure-II)

Hence, the remark of learned District Judge regarding manipulation in trying to avail journey leave is baseless and against the fact.

### ADDITIONAL STATEMENTS

8. It is to submit to Hon'ble Court that during the assessment year i.e. 2022-23, I preside over Additional District & Sessions Judge Sultanpur, Special Judge E.C. Act/Gangster act, Hamirpur and Special Judge (DAA Act.) Hamirpur and worked honesty with full care and diligence. Apart form this, I was worked as DDO Sultanpur, Officer-in-charge Nazarat, Nodal Officer Lok Adalat, Officer Incharge Record Room, Chairman Vulnerable Witness Deposition Center Scheme 2022 Committee, Hamirpur during assessment year with full of my ability.

2

9. It is to submit that in the assessment year 2022-23 the target for me was 1200 units (actual target 698.16 units) but I submitted my total work done 2724 units (about three times), similarly pendency reduction target is 449.12 units and I have submitted my work done 1633.50 units (363.70%) but my district judge wrongly mention only 263.80% , which shows that I made my full efforts to complete the target and infact exceeded the target, which should be taken positively in my favour.

10. It is also submitted most respectfully that admittedly total 130 old cases has been decided by me during the assessment year, in which 87 cases were more than ten years old. Apart from this, I disposed 09 execution cases and 168 contested cases out of 797 cases of all types.

11. The learned District Judge treated me fair in dealing with public and Bar and I was also stated as the officer punctual and regular in sitting on dais in the Court.

12. The learned District Judge has estimated me as 'respectful' towards women.

13. It is worthwhile to mention that in the during my judicial service as well as previous years like 2013-14, 2014-2015, 2015-2016, 2017-18, 2018-19, 2019-20, 2020-21 and 2021-22, Hon'ble Court assessed me "Very Good" or "Outstanding" officer.

Hence, I most humbly pray that the Hon'ble Court may graciously be pleased to expunge remark given by the learned District Judge in column no. 01(a), 01(f), 01(f)(ii), 01 (m), 2 and 4 of ACR and award me a suitable entry.

I shall be highly obliged for this kind act.

*With regards*

Your faithfully

*14/07/2023*

(Pradeep Kumar Jayant)  
Special Judge (DAA Act)

Hamirpur.

*FD No 5P6470*

Certified that no disrespectful and improper language is used in this representation.

Your faithfully

*14/07/23*

(Pradeep Kumar Jayant)  
Special Judge (DAA Act)

Hamirpur.

*FD No. 5P6470*