

From,

Arnav Raj Chakravorty
Judicial Magistrate, Court No. III
Prayagraj

To,

The Registrar General,
Hon'ble High Court of Judicature
At Allahabad

Through,

The District Judge,
Prayagraj

Subject: Submission of representation against the adverse remarks recorded by Shri Santosh Rai, Respected District Judge in my Annual Confidential Report for the Assessment Year 2022-23.

Sir,

I most respectfully beg to submit my representation on the subject noted above as under:

1. That during the Assessment Year 2022-23, I was posted as Civil Judge (Junior Division), Jalaun from the period 01.04.2022 to 04.07.2023, and Judicial Magistrate, Court No. III, Prayagraj from the period 06.07.2022 to 31.03.2023 and during that period, Hon'ble Mr. Justice Nalin Kumar Srivastava were the Respected District Judge from 06.07.2022 to 14.08.2022, and then Shri Santosh Rai were the Respected District Judge from 03.09.2022 while I was posted as Judicial Magistrate, Court No. III, Prayagraj who has recorded entries in my ACR for the said Assessment Year 2022-23 thus:

Integrity of Officer – No written Information against integrity has been received, hence certified, cool minded, private character is good, Unnecessary adjournments avoided, total percentage of work done 265.22%, behaviour and relation with brother officers- good, inspections of court & office- full and effective, amenable to the advice of the District Judge & other superior officers, Behaviour towards women – Good.

2. That certain adverse remarks have been recorded by the Respected District Judge, against me in the Assessment Year 2022-23, regarding the fairness and impartiality in dealing with public and Bar, where I have been remarked as "Poor" as per Oral Information received from the Bar. It is most humbly submitted that

S Santosh Rai

the remark is wholly based on the oral information where the applicant has been most considerate towards the Bar, and has cordial relationship with the bar. It is most humbly prayed that the applicant has maintained due respect and understanding of the relation with Bar.

3. That the adverse remark recorded by the Respected District Judge against the applicant is in reference to non-fixation of adequate cases to engage in the court hours, where I have been remarked as "*No. Adequate numbers of cases were not fixed to engage himself during full court hours.*" It is most humbly submitted that the court of Judicial Magistrate Court No. III, Prayagraj has pendency of more than 13,547 criminal cases including more than 100 files containing direction for time bound disposal by the Hon'ble High Court and an average number of cases fixed on a day are around 250 cases.

4. That the adverse remark recorded by the Respected District Judge against me regarding Progress and disposal of execution cases that "*No execution cases have been tried to be disposed*", whereas it is most humbly submitted that every possible efforts had been made to expedite the process of disposal of Execution Cases and **01 (One) Execution Case had been disposed in the Court of Civil Judge (Junior Division), Jalaun** whose details are as follows:

Sr. No.	Case No.	CNR Number	Party Name	Date of Disposal
1.	Execution Case No. 01/2002	UPJL1200002 52002	Ramswaroop Swarn kumar Vs. Garibdas	25.05.2022

It is most humbly submitted that due to mistake of the applicant, the factual figure could not be communicated to the Respected District Judge due to non-communication from the previous place of posting at District Court, Jalaun and mistake on my part due to heavy workload.

5. That the adverse remark recorded by the Respected District Judge regarding Whether Interim Order, injunction being granted, refused or retained for sufficient reasons. The applicant has been remarked as "*Not sufficient reasons but average reasons given*" whereas It is most humbly submitted that *the applicant has been in*

15/07/2023

the Court of Judicial Magistrate Court No. III, and there are only criminal cases and no civil trial in the court. The applicant had no occasion to deal with civil cases. Therefore, the adverse remark may kindly be expunged.

6. That the adverse remark recorded by the Respected District Judge regarding Whether Judgements on facts and Law are on whole sound, well-reasoned and expressed in good language. I have been remarked as *"The judgement were not well reasoned and were not expressed in good language"* whereas it is most humbly submitted that I have passed Judgements with sufficient application of mind, reasoning and supported by cases laws when required.
7. That the adverse remark recorded by the Respected District Judge regarding Marshalling of Facts is "Average" whereas it is most humbly submitted that the Orders and Judgements passed by me have been passed after due marshalling of facts. Therefore, the adverse remark may kindly be expunged.
8. That the adverse remark recorded by the Respected District Judge is regarding Appreciation of Evidence is "Poor" whereas it is most humbly submitted that the Judgements passed by the applicant have been passed after relying on evidences tendered and its proper appreciation in each case.
9. That the adverse remark recorded by the Respected District Judge regarding Application of Law as "Average" whereas it is most humbly submitted that the Orders and Judgements passed by me have been passed after sufficient application of law giving good reasons applying the general solution provided by law to a factual situation that meets the conditions thereof.
10. That the adverse remark recorded by the Respected District Judge against me regarding Control over the Office and Administrative capacity and tact as "Average" whereas it is most humbly submitted that regular office inspections have been made by the applicant and various directions have been issued time to time to the office and its staff to manage the affairs of the Office. Therefore, the adverse remark may kindly be expunged.


15/05/2023.

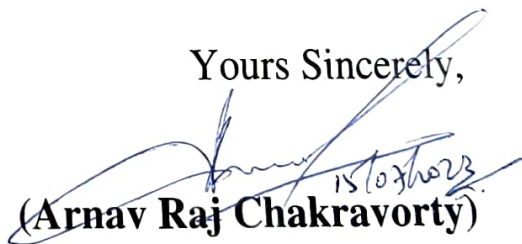
11. That the adverse remark recorded by the Respected District Judge regarding Overall Merit Assessment is "Average", for which it is most humbly submitted that my Disposal is 265.22%. As per report of Respected District Judge the applicant is amenable to the advice of the District Judge and other superior Officers in the Court. My relations are cordial and considerate towards other colleagues. The applicant has exercised effective control over the Court and office and kept testing the work of the office at regular intervals.

12. It is, therefore, most humbly prayed that your goodself may kindly place this representation of mine before the Hon'ble Administrative Judge of Prayagraj Judgeship for his Lordship's kind consideration. It is further prayed that the Hon'ble Court may be pleased to consider this representation. I shall remain grateful to the Hon'ble Court for this grace throughout my life.

With *profound regards* . ,

Dated: July 15, 2023

Yours Sincerely,


(Arnav Raj Chakravorty)

Judicial Magistrate, Court No. III

Prayagraj