

From

Surya Chauhan
Additional Civil Judge (Junior Div.)
Court Number 7 , Lakhimpur Kheri

To

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

Through

The District Judge ,
Lakhimpur Kheri

Subject:Representation Against adverse remarks recorded by the Learned District Judge, Lakhimpur Kheri on some scores and against Over-All Assessment as “Good” Officer.

Respected Sirs,

It is very distressing that I am caught in a predicament where a subordinate has to comment and challenge the remarks of a superior but it is vital and demand of necessity for future career prospects as annual confidential reports of an employee are performance appraisals and constitute vital service records in relation to career advancement.

I, most humbly and respectfully seek the leave to apply for representation before the Hon'ble Court against the Annual Confidential Remarks recorded by the Learned District and Sessions Judge, Lakhimpur Kheri for the year 2023-2024 with regard to my work and conduct during the aforesaid year of assessment. The remarks against which the representation is being made are extracted as under for convenience:

Column Number	Assessment Point	Remarks
1(f)(iv)	Judgement/Order writing capability: (Please Comment on the quality of the passing writing Judgement/Order) (Category in which the Judgements are to be placed ,viz. A+ - Outstanding,A - Very Good, B+ - Good, B - Average/Satisfactory, C - Below Average	B+
01(j).	Behavior in relation to sister/brother Officers(Mention incidents,if any):	There is a lack of co-operation to brother/sister

		officers in the officer.
01(l).	Her/His punctuality and regularity in sitting on the dias in Court during Court hours?	Yes,the officer is almost punctual in sitting on dais in Court during Court hours.
2.	Over All assessment of the merit of the officer.(Outstanding,Very Good, Good ,Average, Poor)	Good

Being aggrieved by the said remarks, I seek the leave to submit my representation for expunction of the remarks and Up-gradation of the Over-All Assessment of the merit inter-alia on the following grounds:

1. That the applicant was transferred to Lakhimpur Kheri and was posted as Additional Civil Judge (Junior Division),Court Number 7 since 06th Day of July, 2022.
2. That the applicant exercised both civil and criminal jurisdiction for adjudicating the cases assigned to his Court .
3. That the disposal of oldest cases by the applicant is as under:

S.No.	Type of Cases	No. of Cases Disposed
1	Cases Registered prior to the Year 2000	224
2	Action Plan Criminal(Other Than Misc. Cases)	25 out of 25
3	Action Plan Civil(Other Than Misc. Cases)	15 out of 25
4	Cases disposed off after full Contest	58
5	Execution Case	1 out of total pendency of 7 cases out of which 1 case has been disposed off, 1 case is stayed by Hon'ble High Court , 2 cases were instituted in month of March 2024 and 3 cases were received via transfer of cases.

4. That out of the 224 cases disposed which were registered prior to the year 2000,**43 cases have been disposed which were critically old of more than 30 years old category pending in the Court of Applicant. Out of these 6 cases , 1 Case of 1981, 1 case of 1986, 2 cases of 1988 and 2 cases of 1989 have been disposed .**(The List has been attached to supplement my application of representation.)
5. That the applicant has completed his Criminal Action plan and has put the best of his endeavours to complete the Civil Action Plan consequent to which,the applicant was able to dispose off 15 out of 25 Civil Cases of Action Plan. Overall,**I decided 40 cases out of 50 of the Action Plan which is 80% disposal of Action Plan Cases.**

6. That the applicant has achieved **654.8 Units** for **Actual Disposal of Cases Required as per General Letter No. 11/IV-H-14/2022 dated Aug18, 2022** of Hon'ble High Court Of Judicature at Allahabad against the Target Units of 363.93 Units which is **179.92 %** .
7. That the applicant has achieved **1504 units** against the target of **727.68 units** required quantum of work which is **206.68%** of the requisite quantum of work.
8. That in Column number 01 (j), the Learned District Judge has noted in regard to "Behavior in relation to sister/brother Officers(Mention incidents,if any); that " There is a lack of co-operation to brother/sister officers in the officer."It is humbly submitted that the applicant has very cordial relations with sister/brother officers and neither such incident has occurred which may hamper the co-operation and relations of the applicant with other sister/brother officers nor any such incident has been mentioned.
9. That,in regard to the remarks in column number 01(l) where the Learned District Judge has recorded that the applicant is "almost" punctual in sitting on dais during Court hours, I humbly submit that I always sit on dais punctually during Court hours due to which I was able to dispose off such number of cases as mentioned above and my work quota is more than the required quantum of work.(Daily Sitting Attached).
10. That the applicant submits that the same Learned District Judge, Lakhimpur Kheri had graded me as an "**Outstanding Officer**" in the previous Assessment Year of 2022-2023 which instilled in me ,a great sense of motivation and contentment as my work was appreciated. Due to this my disposal increased considerably. The applicant submits with full conviction that the applicant has disposed off cases more than what was achieved in the previous assessment year in each category to be assessed and years to consistently grow his legal acumen. But this remark of mere "**Good**" officer has left me stranded in a sense of disappointment and dilemma and has shattered my confidence .
11. That the Learned District Judge, Lakhimpur Kheri has graded my judgements as B+ though he has mentioned in the remarks that "**the judgements of officer on facts and on law are on whole sound, well reasoned and in good language**".The Learned District Judge has also mentioned that marshalling of facts, applicability of Law and Appreciation of Evidence of the applicant is "Good" while in the same column of marshalling of facts, applicability of Law and Appreciation of Evidence ,the remarks were recorded as "VERY GOOD" in the previous ASSESSMENT YEAR 2022-2023 by the same Learned District Judge. I fail to understand the reason for being accorded adverse remarks and self contradictory opinion on the same parameters in the ACR of the same officer by the same superior officer even though the quality of judgements has improved and disposal of cases and quantum of work of the assessee has increased considerably. It appears that such remarks have been recorded to create an illusion to

justify the Overall Assessment as “GOOD”.(The applicant is enclosing his judgements for evaluation with his application).

12. That the applicant was blessed with a baby boy on 12-05-2023 and the wife of the applicant is also a Judicial Officer in the same judgeship. The applicant was able to achieve more than double the quantum of work necessary, disposed such number of oldest and critically old cases as mentioned above striking the perfect balance between the family life and work at such a delicate stage where my son is an infant, to justify the accolades accorded to me by the Learned District Judge, Lakhimpur Kheri but the remarks recorded this year by the Learned District Judge, Lakhimpur Kheri have left me perplexed that what went wrong this year. This kind of remarks brings down the morale of laborious officers and creates a very unhealthy and unproductive environment.

It is therefore most respectfully requested to Hon’ble Sir to kindly consider my representation against the negative remarks as if it is allowed to remain as such, it would adversely affect my career and it is further prayed that :

- a) Expunge all the adverse remarks in the column number 1(f)(iv), 01(j) and 01(l) .
- b) Upgrade the overall assessment from Good as the Hon’ble Court may think fit upon the above mentioned facts.

The undersigned once again humbly prays that the grounds and circumstances enumerated above for upgrading the Over-All Assessment may please be considered sympathetically and objectively for which I shall be greatly indebted.

With Regards

Yours Sincerely

Annexure:

- 1) Daily Sitting
- 2) Total Working Days and Work Done (Out-Turn)
- 3) Final Actual Disposal
- 4) List of Disposal of Cases Prior to Year 2000
- 5) List of Critically Old Cases Disposed.
- 6) Judgements
- 7) Statement of Pendency of Cases

Surya Chauhan
Additional Civil Judge (Junior Div.)
Court Number 7 , Lakhimpur Kheri