

From,

Amit Mishra
Civil Judge (SD)
Mainpuri
ID No. -UP 2085

To,

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

Through,

The District Judge,
Mainpuri

Subject- Representation against remarks given by the then District Judge in my Annual Confidential Remark for the Assessment year 2019-20.

Sir,

On the above captioned subject this is most humbly submitted that the remarks given by the then Respected District Judge, Mainpuri in my annual confidential report for the Assessment Year 2019-20 were communicated to me through online portal as well as by registered post vide Letter no-109(14)MACT/ Bijnor. In this regard my humble submission is:

(1). In Column No- 01(e) (iii) it has been mentioned that **the officer has shown 38 69 21 as old cases disposal but the same has not been shown in the statement of year wise disposal.** As far as the above remark is concerned, it is most humbly submitted that the Respected District Judge have no where found the disposal of the old cases to be inadequate and no remarks have been made by him regarding the inadequacy of the disposal of old cases but rather the only anomaly which has been pointed out is that the disposal has not been shown in the statement but this remark does not seem to be appropriate as I have shown the disposal and annexed the relevant statement as attachments in the Year-wise breakup regarding the court's presided over by me. The statement relating to Court of Civil Judge S.D, FTC was attached in the Column No-7 in Part-I and statement relating to Court of A.C.J.M. Ist was annexed in the Attachment Column in Part-II of the Self Assessment Form. It seems that the Respected District Judge has not considered the Year-wise breakup annexed in Attachment Column in Part-II of the Self Assessment Form while recording his remarks. The figures of disposal of old cases as recorded by the then respected District Judge are also not in consonance with the statements furnished by me. As for instance in the Column 2B(ii) the figure of total number of disposal of cases which were 10 years old was furnished by me as 65 but they have been shown by the Respected District Judge to be 69.

I have disposed 38 cases which were more than 5 years old, 65 cases which were more than 10 years old as shown respectively in Column 2A(ii) and Column 2B(ii) of the self assessment which illustrates that a sincere effort has been made by me for disposal of old cases.

(2) In Column No.01(e)(iv) it has been mentioned that **out of 48 executions the officer decided only 01 as contested and 01 uncontested. Disposal is poor.** As far as the above remark is concerned, it is most humbly submitted that the 48 cases which have been mentioned in the aforesaid column were pending in the court of Civil Judge S.D. FTC where I was posted for a short span from 01.04.2019 to 31.07.2019. Moreover, in the month of June, 2019 regular civil work was suspended due to summer vacations. In this short span two execution cases were decided by me and I made a persistent effort to dispose maximum number of execution cases and with my efforts many of the cases were on the verge of disposal but unfortunately my court got changed and subsequently I was posted as Secretary(DLSA), Mainpuri from 01.08.2019 to 25.08.2018 and after that Additional Chief Judicial Magistrate Court No-1 from 26.08.2019 to 31.03.2020. In A.C.J.M. Court No. 1 only 4 execution cases were pending. Most of the cases were newly instituted and before these cases could be brought to their logical conclusion the substantial part of March, 2020 was affected by the pandemic of

Covid-19. Therefore, inspite of the best of efforts the pending execution cases could not be disposed.

(3) The then District Judge has made my overall assessment of the merit of the officer in Column No.-2 as average. As far as the above remark is concerned it is most humbly submitted that my judicial work has been found to be adequate by the then District Judge and I have achieved 1856.91 units against target 1200 Units, which is much above the target units. The Respected District Judge has also observed that I am fair and impartial in dealing with the public and Bar. I have been found to possess good administrative capacity and tact. Nothing has been found against my private character so as to lower myself in the estimation of the public and which would adversely affect the discharge of my official duty. My control over the files have been found proper. My integrity has been certified. The Judgments delivered by me have been found to be well reasoned, sound on the point of fact and law and expressed in good language. Thus, in light of all the above facts there is no reasoning for overall assessment of mine as average, and deserves to be upgraded in light of several observations made by the then District Judge himself.


Therefore I most humbly submit that "**Average**" entry does not properly justify the efforts which I put in judicial and administrative work during the assessment year and hence, It is most humbly prayed to the Hon'ble Court that the above mentioned facts may kindly be considered and the "**Average**" entry in column No-2 regarding the overall assessment may kindly be upgraded to any other higher suitable entry which the Hon'ble Court deems fit.

It is requested that my submission may kindly be placed before the Hon'ble Court for kind and sympathetic consideration. I shall be indebted to the Hon'ble Court for my whole life.

With regards,

Dated-08.02.2021

Yours Faithfully


(Amit Mishra) 08/02/21

Civil Judge S.D.
Mainpuri.