

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

Subject- Representation against remarks given by the District Judge in annual confidential remarks for the assessment year 2019-2020

Sir,

It is humbly submitted remarks given by the District Judge in annual confidential remarks for the assessment year 2019-2020 were communicated to me through online portal as well as by registered post vide letter no. 109(14)MACT/Bijnore.

With all due respect, I humbly represent against the remarks given by the respected District Judge in **column no.01 (e) (iii) regarding disposal of old cases** wherein the applicant have been awarded "disposal of old cases is poor" and **column no. 01(e)(iv) regarding progress and disposal of execution cases** wherein "no execution is shown to have been decided" remark given by respected District Judge.

In this respect I humbly wish to submit as under-

I humbly beg to submit that in aggregate I am awarded "**Good**" entry but my humble submission is that the respected then district judge in his remarks in **column no.01 (e) (iii)** regarding disposal of old cases, it has been recorded that the "officer has decided only 69 old cases while 9342 cases were pending, hence the disposal of old cases is poor". Here it is noteworthy that during the assessment year applicant presided over the court of A.C.J.M.I for the period from 15.04.2019 to 01.08.2020. During this period I also worked as principal magistrate, J.J.B., mainpuri for three days in every week and thus could avail only three day week for the court. Applicant presided over the court of C.J.M. for the period from 01.08.2019 to 24.08.2020 (total 19 days only excluding training period) having maximum number of old cases. I worked as A.D.J.(F.T.C.-II) having total old case pendency 303 and at last on date 18.03.2020 charge of A.D.J.(F.T.C.-I) was taken over by me. During this period of 13 days court proceeding was withheld in compliance of direction in the light of corona pandemic threat. Respected district judge could not take all these fact in to account while recording the annual remarks of the applicant.

(the relevent figures/data are attached in yearly self assessment)

Regarding remarks in **column no.01 (e) (iv)** wherein remark "no execution is shown to have been decided" has been given, it is humbly submitted that



total only 4 execution cases were pending in the court of A.C.J.M.-I (during the period from 15.04.2019 to 01.08.2019) which had mainly pendency of criminal cases including cases related to economic offences. Needless to reiterate that the applicant had to preside Juvenile justice board for 3 days (wednesday, thursday and friday) in every week and thus had only 3 remaining days in a week including II saturday (non working day) of the month. Further during the month of june no civil work could be performed in compliance of direction. Therefore total maximum about 35 days (including holidays, II saturday and sunday), applicant had for civil work/ deciding the execution cases out of total 365 days in a year. For the remaining period (from 24.08.2020 to 31.03.2020) I presided over the courts of C.J.M., A.D.J.(F.T.C.-II) and A.D.J.(F.T.C.-I) having no execution cases pendency. In above mentioned circumstances despite of my all best efforts, I could not dispose any execution case. (the relevent figures/data are attached in yearly self assessment)

Therefore i most humbly submit that "poor disposal of old cases" entry does not properly justify the efforts which i put in disposal of old cases during the assessment year and keeping in mind the above mentioned execeptional circumstances which indeed contributed in nil disposal of execution cases , it is most humbly prayed to the hon'ble court that the above mentioned facts may kindly be considered and the "poor" entry in **column no. 01 (e) (iii)** regarding disposal of old cases and the explanation furnished regarding **column no. 01(e)(iv)** for non disposal of execution cases, may kindly be considered and entry be upgraded, expunging the cricital remarks recorded by respected District Judge, to any other higher suitable entry which the Hon'ble court deems fit.

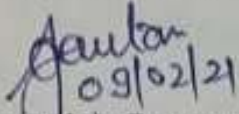
It is requested that my submission may kindly be placed before the Hon'ble Court for kind and sympathetic consideration.

I shall always be indebted to the Hon'ble Court.

With due regards,

Dated- 09.02.2021

Your's faithfully

  
09/02/21  
(Awarish Gautam)

JO No.- UP1682

Addl. District & Session Judge,  
Mainpuri