

From,
Manju kumari,
Secretary, District Legal Services Authority,
Ghaziabad.

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

Through,
District Judge,
Ghaziabad.

Subject: Representation against the adverse remarks recorded by the Administrative Judge Hon'ble Mr. Justice Suneet Kumar against me for the Assessment Year 2019-2020 for kind consideration by the Hon'ble Administrative Committee.

Most Respectfully I have to submit as follows: --

1. That the adverse remarks recorded by the Hon'ble Administrative Judge were communicated to me on 23/03/2021 through e-services portal for judicial officers.
2. That while recording adverse remarks against me, the Hon'ble Administrative Judge, has been pleased to consider at length the oral complaint against me as narrated to him by respected District Judge during his visit to Ghaziabad Judgeship and then he has been further pleased to "summarize" the whole adverse report as submitted by the respected District Judge against me.
3. That I am afraid that my representation ID- 07, dated 02/09/2020 against the adverse report of the respected District Judge was not at all placed before the Hon'ble Administrative Judge for consideration because in the whole of the order passed by the Hon'ble Administrative Judge, there is "no reference of my representation" worth the name that my representation against the adverse report of the respected District Judge was also looked into by the Hon'ble Administrative Judge and hence the whole adverse remark recorded by the Hon'ble Administrative Judge, without considering my representation, is clearly "Ex-parte" against me and therefore not sustainable being against the principals of natural justice.
4. That now I seek permission of the Hon'ble Court to explain each adverse point mentioned by the Hon'ble Administrative Judge as follows: ---



(a)- That there has been not a single complaint against my integrity either by any member of the public or by the Bar against me during the whole year (under scrutiny) nor any such complaint against my integrity is on record and therefore the adverse remark as recorded by the Hon'ble Administrative Judge against my integrity is not at all sustainable being without any evidence.

(b)- That I was posted as Addl. Civil Judge (SD) in the Civil side who are meant to disposal of civil cases. It is pertinent to mention that 1220 Original Suits, 233 Civil Misc. Cases, 101 Civil Execution cases were pending in my court nonetheless respected CJM transferred 368 criminal cases to me and further ordered me to record statement of witnesses under section 164 Cr.PC which was definitely bound to interfere and dislocate disposal of civil cases pending in my court.

(c)- That a GL no. 26-2(1)-4(23) dated 30th May 1939 issued by the Hon'ble Court reads as under: -

The Munsifs are meant for civil work and are not expected to do criminal work if this interferes with the disposal of civil cases.

In the circumstances, it is necessary that the District Judge should have control over the criminal work which Munsifs invested with magisterial powers in his judgeship are asked to do.....The District Judge should satisfy himself when criminal work is sent to the munsif or a munsif is to be invested with magisterial powers that this will not result in a dislocation of civil work.

(Now Munsif have been re-designated as Civil Judge (JD) and on promotion as Civil Judge (SD).

(d) That therefore, I moved an application to the respected District Judge in the light of above mentioned GL, and requested the respected District Judge for direction to the learned CJM to withdraw criminal cases from my court and I suppose I committed no insubordination simply by moving an application in the light of above mentioned GL issued by the Hon'ble Court.

(e) That in his adverse remarks the Hon'ble Administrative Judge has been pleased to note twice that I declined in writing to perform duty of disposal of criminal work assigned to me by the learned CJM.



As a matter of fact, I have never ever declined or refused to dispose of criminal work assigned to me by the learned CJM nor any such alleged "written declination" on my part is available on record.

(f) That there is "No report/Complaint" either by the learned CJM or by any Police Officer that I have ever refused to dispose of any criminal case or refused to record statement under section 164 Cr.PC of any witness produced before me by the police.

(g) During the year under scrutiny, I recorded 173 statements of witnesses under 164 Cr.PC and also disposed of many criminal cases transferred to my court by the learned CJM along with disposal of civil cases pending in my court. Details of disposal already submitted to the respected District Judge on self-assessment form prescribed by the Hon'ble Court.

(h) That the Hon'ble Administrative Judge has been pleased to record twice that during his visit to the Judgeship, he was "informed" that I have "declined in writing" to do criminal work assigned to me by the learned CJM, but no such alleged "written declination" on my part, has been made part of the adverse report submitted by respected District Judge and no such alleged written declination is on record therefore the adverse remark of "insubordination" against me, is without any evidence therefore not sustainable.

(i) That the Hon'ble Administrative Judge has been pleased to record that during his visit to the Judgeship, he was also "informed" orally by the respected District Judge that several D.Os. were issued to me by the respected District Judge regarding my conduct and behaviour.

As a matter of fact, no D.Os. was ever issued to me by the respected District Judge regarding my conduct and behaviour nor any such alleged "D.Os." is available on record.

(j) I was always punctual and regular in sitting on the dais. No oral/written warning or D.O. was ever issued to me by the respected District Judge.

(k)- That when my applications made to the respected District Judge were not resolved then I moved certain representations before the Hon'ble Court and I suppose, I have not done any wrong in doing so.



(l)- That the adverse report recorded by the respected District Judge were only the result of personal malice against me.

(m)- That as a matter of fact the respected District Judge was personally annoyed and had grudge against me because I sent request letter dated 13/03/2020 addressed to Registrar General of Hon'ble HC to meet Hon'ble Chief Justice against the ulterior behaviour of respected District Judge Sh. Dinesh Kumar Sharma-III. He used to call me at his official residence on holidays unnecessarily and I did not know why the respected District Judge use to frighten me by saying that, he met with Hon'ble Administrative Judge, Ghaziabad and Hon'ble Chief Justice, Allahabad last week (in January, 2019) and got suppressed some serious complaint against me. Till date neither I know any such complaint nor any such complaint ever reached to me by any source whatsoever. Respected District Judge Sh. Dinesh Kumar Sharma-III never told me what was that complaint against me despite my oral request. He only said to me in January, 2019 –“That you need not to worry about anything, I settled all the matter against you in Hon'ble High Court.” Respected District Judge Sh. Dinesh Kumar Sharma-III also assured me that- I can meet him directly anytime anywhere in court office chamber or at official residence. After saying all this to me, the respected District Judge also advised me not to divulge this fact to anybody else, that I called you at my residence and said to you all these things.

When no such complaint ever reached to me by any source (oral or in written form), I smelt bad intention of respected District Judge against me, then I stopped visiting his official residence. Later on, respected District Judge Sh. Dinesh Kumar Sharma-III specifically targeted me and started calling me in his chamber on many occasions. He started mentioning in presence of other senior/junior judicial officers in his chamber that – “I saved you in that case na..” thus, started causing attack and humiliation on my integrity and personality even in the eye of brother and sister judicial officers. When this harassment by the Respected District Judge continued and crossed the boundaries of my patience and limitations, I was compelled to write a letter to Registrar General of Hon'ble HC to seek time to meet with Hon'ble Chief Justice, Allahabad {dated 13/03/2020 addressed to Registrar General of Hon'ble HC duly forwarded vide endorsement no-1337/XV after 04 days on date 17/03/2020} to get redressal from mental trauma and humiliation forced on me by respected District Judge. Thus, above said bad intention and failure on the part of respected District Judge was one of the pivotal reason behind



reporting adverse against me despite my honest, diligent and out turn performance which may surely diminish my enthusiasm for attaining perfection.

Unfortunately, the Hon'ble Administrative Judge took no notice of the serious allegations made by me against the respected District Judge while recording remarks against me because of that I am afraid that my representation against the adverse report of the respected District Judge was not placed before the Hon'ble Administrative Judge.

It is, therefore, most humbly prayed that Hon'ble Court may kindly be pleased to expunge the adverse remarks recorded by the adverse remarks recorded against me and justice be done to me.

With Regards.

Yours faithfully,


26/3/2021

(Manju Kumari),
JO Code- UP1972

Secretary, District Legal Services
Authority, Ghaziabad

Date: 26/03/2021