

22.06.2021

From:

Pragya Parashar (3460)  
Addl. Civil Judge (Junior Division)  
Sikohabad, Firozabad.

To,

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

Through,

The District Judge  
Firozabad

**Subject: Representation against the adverse remark by the District Judge, Firozabad against the applicant for the assessment year 2020-21.**

Respected Sir,

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

1. That I belong to the 2018 batch of the Civil Judges (Junior Division) and had joined the judicial service on 15.11.2019 in the District Court, Firozabad and now I am posted as the Addl. Civil Judge (Junior Division), Court No. 2, Sikohabad, an outlying court of the District Court, Firozabad.
2. That from the date of joining the judicial service on 15.11.2019 upto 31.03.2021, the total length of my service has been 1 year, 4 months and 27 days. During this small span of my judicial service, I remained on foundation level training by the Institute of Judicial Training and Research, UP, Lucknow and as such I got only 4 months and 27 days upto 31.03.2021 to conduct the judicial proceedings in my court at Sikohabad and during that period too, the normal functioning of the court was seriously disturbed due to the pandemic Covid-19. During the said assessment period, Shri Sanjeev Fauzdar was the learned District Judge, Firozabad and he continues as such till date in Firozabad.
3. That the learned District Judge, Firozabad Shri Sanjeev Fauzdar has certified my integrity as **"beyond doubt"** and has recorded quite

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appreciative entries on all points in my ACR for the assessment year 2020-21 except for his adverse comment on the quality of my judgments which is being reproduced below:

***“The officer needs vast improvement in judgment writing, the judgments attached in self-assessment are very short, inexpressive and precise”***

4.1. That I had attached with my self-assessment form the copies of following three judgments details whereof are as under:

- (i) **Five – page judgment** dated 24.03.2021 delivered in criminal case No. 3724/2010, State of UP Versus Naresh, u/s 354 IPC, PS: Eka, District: Firozabad.
- (ii) **Ten – page judgment** in criminal case No. 3137/2010, State of UP Versus Soran Singh & Others, u/s 147, 148, 323, 504 IPC, PS: Eka, District: Firozabad.
- (iii) **Five – page judgment** dated 25.03.2021 in criminal case no. 3481/2010, State of UP Versus Kishan Gopal & Others, u/s 323, 324, 504 IPC, PS: Eka, District: Firozabad.

**Note:** Photostat copies of the three judgments of mine delivered in the cases mentioned above are annexed herewith for kind perusal of the Hon’ble Court.

4.2. That as is evident from the adverse comments of the learned District Judge, Firozabad on my above judgments in my ACR as reproduced by me under Paragraph 3 of this representation of mine, the learned District Judge has not pointed out as to which material facts, material evidence or the relevant law was not taken by me into consideration and not discussed in the above judgments nor the learned District Judge has questioned or adversely commented upon the conclusion reached by me in the said judgments. In the absence of any clear deficiency being mentioned by the learned District Judge on the points of marshalling of facts, appreciation of any material evidence or non-noticing of any relevant law attracted to the material facts and evidence, it is not clear from his said adverse remarks on the quality of the above judgments of mine as to what specific mistake was committed by me in passing the above judgments.

4.3. That I most humbly state here that I had considered every piece of material facts, material evidence and the relevant law attracted to the case while passing the said judgments of mine in the cases mentioned above. The **said judgments run into five, ten and five pages** respectively and are well discussed, speaking judgments passed after application of judicial mind to the material facts, material evidence and the relevant law.

- 5.1. That as regards the brevity or length and quality of judgments, the views of the Hon'ble Supreme Court as expressed in the following cases are worth noticing:  
*"Brevity in judgment writing has not lost its virtue. All long judgments or orders are not great nor are brief orders always bad. What is required of any judicial decision is due application of mind, clarity of reasoning and focused consideration. A slipshod consideration or cryptic order or decision without due reflection on the issues raised in a matter may render such decision unsustainable. Hasty adjudication must be avoided. Each and every matter that comes to the court must be examined with the seriousness it deserves".* Kindly see: **Board of Trustees of Martyrs Memorial Trust and Another Vs. Union of India and Others, (2012) 10 SCC 734 (Para 22).**
- 5.2. *"The time has reached to adopt all possible measures to expedite the court procedures and to chalk out measures to avert all roadblocks causing avoidable delays. If a Magistrate is to write detailed orders at different stages merely because the counsel would address arguments at all stages, the snail paced progress of proceedings in trial courts would further be slowed down. It can be appreciated if such a detailed order has been passed for culminating the proceedings before them. But it is quite unnecessary to write detailed orders at other stages, such as issuing process, remanding the accused to custody, framing of charges, passing over to next stages in the trial. If there is no legal requirement that the trial court should write an order showing the reasons for framing a charge, why should the already burdened trial courts be further burdened with such an extra work".* Kindly see: **Kanti Bhadra Shah Vs. State of West Bengal, 2000 CrLJ 746 (SC).**
- 5.3 *"Writing unnecessarily lengthy judgments than required should be avoided. It is not the number of pages in a judgment but sufficiency of reasons in support of the conclusions arrived at by the judge that is relevant. Judgments or orders must be reasoned and speaking to justify the conclusion".* Kindly see: **Union of India vs. Essel Mining & Industries Ltd., 2005 (6) SCC 675.**
6. That as has already been stated by me, during the relevant assessment year i.e. from 01.04.2020 – 31.03.2021, I had worked in Covid period in my court only for 4 months and 27 days and upto 31.03.2021, the total length of my service was only 1 year, 4 months and 27 days and as such I had very little experience of independent judicial working just for 4 months and 27 days. I candidly admit that unlike the senior and

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experienced judicial officers with sufficient length of service, I was not an experienced judicial officer upto 31.03.2021 and had started doing independent judicial work of my court just 4 months and 27 days ago after completion of my training at the JTRI and in the field and even then, I tried on my part best to pass qualitative judgments upto the best of my understanding and capacity and my that approach can be seen by the Hon'ble Court in the copies of the three judgments attached by me with my self-assessment form and also annexed with this representation.

7. That in view of the facts stated by me in the preceding paragraphs, the only adverse remark recorded by the learned District Judge, Firozabad on the quality of my judgments being contrary to record do not stand and are liable to be expunged.

I therefore request your goodself to place this representation of mine before the Hon'ble Administrative Judge of the District Court, Firozabad for His Lordship's kind consideration. I most respectfully pray to His Lordship to kindly expunge the aforesaid adverse remark of the learned District Judge, Firozabad recorded on the quality of my judgments in my ACR for the assessment year 2020-21. I shall remain grateful to His Lordship for this grace forever.

With profound regards,



**(Pragya Parashar )**  
Addl. Civil Judge (Junior Division)  
Sikohabad, Firozabad.

Annexures: As above.