

From,

Pawan Kumar Srivastava
(ID no.-U.P.6222)
ADJ-VIII, Kanpur Nagar.

To,

Respected Registrar (Confidential),
Hon'ble High Court of Judicature
at Allahabad.

Through: Respected District Judge, Kanpur Nagar.

Subject: Representation regarding Annual Confidential Remarks 20-21.

Respected Sir,

Most humbly, the applicant begs to submit that Respected District Judge, Kanpur Nagar has very graciously given good remarks in every parameter and has adjudged the applicant 'Very Good Officer' in overall assessment in the Annual Confidential Remarks 20-21, regarding the applicant. While recording his remarks in column no. 1(e) (iv): Progress and disposal of Execution Cases, Respected District Judge has mentioned that,

"Four executions cases were pending in this Court. of Addl. Distt. Judge Court No. 23, Kanpur Nagar. No execution case is pending in the present court of Addl. District Judge, Court No. 8, Kanpur Nagar. The officer has not decided any execution case."

The applicant prays that this remark may not be treated as 'adverse' for reasons already mentioned by the applicant in ACR and which are reproduced below for kind perusal.

The applicant has presided over the Court of ADJ XXIII from 01/04/2020 to 07/08/2020. During this whole period the Court remained closed due to COVID-19 restrictions but for four days- 7th, 8th & 9th June; in which civil work remained suspended and one day, on 7th August, 2020. After 07th August, 2020, the applicant left charge of said Court and remained posted in the Court of ADJ-VIII for rest of the term. Respected District Judge has also noted that no execution case was pending in the Court of ADJ-VIII.

Hence, it is most humbly submitted that the officer has no occasion to decide any execution case during the whole of assessment year. The applicant has actually worked in the Court of ADJ XXIII for a single day in the whole assessment period. No execution case was pending in ADJ-VIII. ✓

It is further submitted that Respected District Judge, while recording remark in column no. 1(g) (iii): Number of civil cases decided on compromises/ alternate dispute resolution, has mentioned as 'Nil'. The applicant most humbly submits that the applicant has decided 02 SCC cases on the basis of compromise and has mentioned the same in self assessment form as required by Administrative Order no. 130 dated 12/03/2021 of the District Judge, Kanpur Nagar.

Respected District Judge has noted that the applicant has decided 81 cases after full contest which includes One **Session trial case** of the year 2006, one of 2007, one of 2008, two of 2012, one of 2015, three of 2016, One **Special S.T. (N.D.P. S. Act)** of the year 2011, one of 2012, two of 2014, Two **Special Session trial (Gangster Act)** of the year 1993, one of 1995, one of 1997, one of 1998, one of 2000, two of 2001, two of 2002, one of 2006, one of 2007, one of 2009, three of 2010, one of 2013, two of 2014, two of 2016, one **Criminal Appeal** of the year 2012, one of 2016 have been decided as shown in the self assessment of the officer.

Respected District Judge has also remarked that disposal of work is adequate. The officer has achieved 1308.60 units against required units of 504.64.

The applicant has decided 11 sessions trials, 14 NDPS Act cases, 52 Gangster Act cases, 02 Criminal Appeals, 01 Criminal Revision, 11 Criminal Misc. Cases, 01 Civil Appeal & SCC Revision. The applicant worked as Presiding Officer of Special Court under NDPS & Gangster Act. The applicant disposed off/set at liberty 54 cases of undertrial in which prisoners were languishing in jail for more than ten years to one year. The applicant has also visited District Jail during COVID-19 period when the Courts were closed, to perform bail & remand duties.

It may be mentioned that normal functioning of Courts was restored by Hon'ble High Court from 02nd January, 2021. Before this date, trial of cases and recording of evidence in general, remained suspended. Despite above unprecedented & extraordinary conditions the applicant has achieved 1308.60 units against 504.64 units required after deduction of @3.28 units on account of holidays, court-closure etc. **Thus the applicant managed to achieve 2.5 times the work(units) required.**

The applicant was chairman of three committees, Nodal Officer of Lok Adalat and has participated as member in seven committees. The applicant actively participated in Third- Round of Cluster

Training organized by J.T.R.I, Lucknow held on 22nd November, 2020. The applicant has submitted papers and delivered lecture in Third round of Cluster Training organized by J.T.R.I. Lucknow. The topic was, 'Law relating to Execution Proceedings with Emphasis on Auction and Order XXI Rule 97 C.P.C.' The effort of applicant was appreciated by one and all. The applicant has also written an article in 'Samashti Patrika' published by Hindi Vidhi Pratishthan, Kanpur Nagar.

The applicant most humbly submits all the above facts before our *Parens Patriae*- Hon'ble High Court and prays that though the applicant is satisfied by the assessment made by Respected District Judge, yet in the extraordinary and unparalleled situation of COVID-19 if the Hon'ble High Court, in its benevolence and mercy, finds it fit, then an upward revision in 'Overall Assessment' of applicant by the Hon'ble Court will boost the morale of applicant to perform even better in challenging circumstances.

The applicant, with folded hands invokes your good offices to place this request before Hon'ble High Court for most sympathetic consideration.

For this act of utmost benevolence I shall remain forever grateful to Hon'ble Court.

With profound regards,

Date: 17th August, 2021

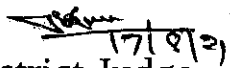
Yours' humble servant,

Pawan K. Srivastava
Pawan Kumar Srivastava, 17/08/21
ADJ-VIII Kanpur Nagar.

Office of the District Judge, Kanpur Nagar.

Letter no. 1970/2 Kanpur Nagar, Date: 17-08-2021

Forwarded to The Registrar General, Hon'ble High Court of Judicature at Allahabad.


17/8/21
District Judge,
Kanpur Nagar.

17 AUG 2021
DISTRICT JUDGE
KANPUR NAGAR