

From,

Bhavya Srivastava
Judicial Magistrate-II
Faizabad

To,

The Registrar (J) Confidential
High Court of Judicature, at Allahabad
Allahabad.

Through,

The District Judge
Faizabad

Subject: Regarding expunging the remark given by The District Judge, Pratapgarh (Now District Judge, Ramabai Nagar) in Annual Confidential Remark.

Respected Sir,

It is humbly submitted before your goodself that undersigned has served as Additional Civil Judge (Junior Division), Pratapgarh till 12-04-2021. For the year 2020-2021, the Respected District Judge, Pratapgarh has communicated the Annual Confidential Remark to the undersigned, in which the Respected District Judge has made a remark that "*As per information furnished by the officer, she has disposed 105 civil & 04 criminal cases (more than 05 year old) and 80 civil cases (more than 10 year old). In yearwise breakup the disposal of these cases, is not clearly mentioned. It requires verification. For disposal of execution cases sufficient interest is not shown.*"

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

With regard to the remark of the respected District Judge that figures of disposal require verification, the undersigned humbly submits that while submitting the Annual Self-Assessment, I have submitted the pendency chart in the prescribed proforma on 09-April-2021. After that the respected District Judge vide letter no. 936/XV Dated 10-08-2021, which I received on 11-08-2021, sought clear and detail information upon certain points which were mentioned in the proforma annexed with the letter which I furnished accordingly. In that letter, the Respected District Judge has not sought any clarification with respect to the disposal of cases which were 05 Years and 10 Years old. At no point of time, the Respected District Judge has sought any clarification, from me, in order to verify the same. The respected District Judge has neither heard me nor afforded me any opportunity to clarify the same. Had respected District Judge sought any clarification, I would have been able to clarify the same.

With regard to the disposal of execution cases, it is most humbly submitted before your lordship that, since the beginning of the assessment year, due to the onset of Covid-19 pandemic and the subsequent lockdown imposed throughout the nation, the Courts below remained non-functional and as such only general dates were given in the matters. It is worth to mention that in the assessment year, there were 188 non-working days on account of leave, lockdown, holidays etc. Apart from this, for most of the period, when court was opened, the Courts below were ordered by the Hon'ble High Court to take only urgent matters. It is noteworthy to mention that the Hon'ble High Court of Judicature at Allahabad vide Public Interest Litigation (PIL) No. 564 OF 2020 "In re vs. State of U.P." dated 26-03-2020 ordered that if any orders of eviction, dispossession or

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demolition are already passed by the High Court, District or Civil Courts, the same shall remain in abeyance. Further, due to prevalent COVID 19 situation, only limited entry of the litigants was allowed as they were not compelled to appear before the Court. In that situation, the litigants were reluctant to come before the Court. I tried to the best of my endeavours to decide the execution cases pending in my Court. In my Court, 50 Execution Cases were pending, out of which I disposed 01 Execution case on full satisfaction. For rest, I started taking the execution cases on priority basis. I fixed short dates in those matters and tried to dispose the same with utmost priority. It is noteworthy to mention that since the proceeding of most of the execution cases was stayed by the Higher Courts, the cases could not be disposed. It also happened that counsels for the parties remain abstained from work or sought repeated adjournments on several occasions. Sir, I have shown proper interest to dispose the execution cases and no laxity on my part has been committed to dispose the same but, it was some unavoidable situations which caused impediments in the disposal.

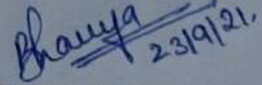
Sir, I most humbly submits that I shall remain vigilant in future and will try to the best of my abilities to dispose the execution cases on top priority.

In view of the grounds mentioned above, the undersigned humbly submit before your goodself that kindly place my application before the Hon'ble Administrative Judge for the District of Pratapgarh for the year 2020-2021, to consider my application for expunging the remark given by the respected District Judge Pratapgarh in Point No 1(e)(iii), Point 1(e)(iv) and Point 4 of the Annual Confidential Remark.

With utmost regards.

Date: 23-09-2021

Your's Sincerely

 23/9/21.

Bhavya Srivastava

Judicial Magistrate, II

Faizabad

**Enclosure: The letter no. 936/XV Dated 10-08-2021
issued by the Respected District Judge.**