

From,
Sumit Gupta
Civil Judge (JD)- FTC/Crime Against Women
Mahoba.

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

Through,
The District Judge,
Mahoba.

Subject: Submission of representation against certain adverse remarks recorded by Learned District Judge, Mahoba against the undersigned applicant for the Assessment Year 2021-22 as communicated vide JO Portal .

Sir,

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

1. That I have joined the U.P . Judicial Services on 16.12.2019 as Civil Judge (JD)- crime against women. During the Assessment Year 2021-22, I was posted as Civil Judge (JD)- crime against women (01.04.2021 to 28.06.2021) and Judicial Magistrate-Second Mahoba (29.06.2021 to 31.03.2022) in the Mahoba Judgeship and I am still posted here in the district Mahoba as Civil Judge (JD)- Crime Against Women.

2. The main Annual Confidential Remarks of mine recorded by Shri Devendra Kumar-First, The Learned District Judge, Mahoba for the Assessment Year 2021-22 are : "Integrity—beyond doubt, fair & impartial in dealing with the public & bar, cool minded,nothing adverse to him has come to knowledge, fixing of cause list-proper, sufficient number of cases fixed to keep engaged during full court hours, unnecessary adjournments avoided, 06contested cases older than 5 years decided, control over office & administrative capacity & tact-satisfactory, relations with members of Bar-cordial, behaviour and relation with brother officers-good, inspections of court & office-full & effective, punctual and regular in sitting on dais during court hours, amenable to the advice of the District Judge & other superior officers, state of health-good, overall assessment of the officer-Good." The only adverse remarks recorded by the learned District Judge against me are on the point of " **During the whole year, the office has decided only 6 cases as contested. It shows that as a new officer, he has not full commitment and devotion towards his work** " . Which I beg to explain in the following paragraphs.

3. In the Assessment year 2021-22, when I was holding the Court of Civil Judge (JD)- crime against women during 01.04.2021 to 28.06.2021, the functioning of the court was severely affected by the covid-19 Pandemic. In that mean time strict guidelines of covid-19 was circulated by Hon'ble HC therefore the court proceedings were severely disrupted in April, May , June ,July & till mid of August . In abovementioned time period there were Rotational duty & Only urgent work was allowed during covid guidelines by Hon'ble HC . Besides of the adverse Critical circumstances and summer vacations in May for ten days, I have done 303.09 units work in that time period.

Further, As I belongs to the least experience 2018 batch and new entrant in the judicial system. From 29.06.2021 to 31.03.2022 I was holding the court of Judicial Magistrate-Second in the abovementioned time period. Here I would like to seek kind attention that I didn't had any stenographer and there was scarcity of Staff during the whole assessment year 2021-22. Hence, I

was bound to write all my miscellaneous work ,orders and judgements by myself. Due to that my orders and judgements were typed or hand written by myself. Still I **disposed 1081 cases and 06 Contested judgements and numbers of miscellaneous orders** (Vehicle ,minor, case property release , Bail etc.) during the assessment year 2021-22. Out of those contested judgement I have attached 05 contested judgements in my annual assessment 2021-22 which all were written in my own hand writing . Learned District Judge in serial No. 1(f) of my ACR opined that ‘the Judgement on fact & law are sound and well reasoned’.

Further, in the time of Pandemic all over the world , District Mahoba was not spare. In the starting month of January 2022 Hon’ble High Court again circulated the strict guidelines of covid-19 . Hence , the functioning of court was again adversely affected due to covid-19. In mean time I got infected with covid-19 (Report- annexure-1)on 23 January 2022. So, I was on Quarantine leave from 24.01.2022 to 13.02.2022. Besides of the Asthenia , immense weakness and breathlessness I came back and joined the Court from 14.02.2022 but the post-covid-19 recovery has taken almost one and half months till the end of march-2022. During the whole assessment year 2021-22 Learned District Judge in serial No.1(g) opined that i have done 1382.69 units (138.69%) work against prescribed 1000 units (without stenographer) which is adequate and above the norms. Annexures of the work done is attached with this application .Hence the above- mentioned figures/description shows my commitment & devotion towards my work.

4. It is humbly stated here that the learned District Judge himself has recorded at serial No. 1(e)(i) (a), (b), 1(e)(ii), 1(l) & 1(m) of my ACR that : “I used to fix cause list properly, used to fix sufficient number of cases to keep engaged during full court hours, used to avoid granting unnecessary adjournments, was punctual and regular in sitting on dais during court hours and was amenable to the advice of the District Judge and other superior officers.”

5.That I have so far served for nearly 2 & 1/2 years (One year Online and Field Training , 1&1/2 years on dais as PO which was mostly concurrence with the Covid period) in subordinate judiciary and have got appreciated service record and have never earned any displeasure from any of my Learned District Judges or from the Hon’ble Court and have always given more than required quantum of work done. I always tried my level best with full devotion to duties as assigned to me as judicial officer and I most conscientiously assure the Hon’ble Court that I shall be extremely careful to ensure that not only the minimum required quota but also beyond that is achieved by me in future. The remark in my ACR at serial No. 4 for year 2021-22 may adversely affect my future carrier and I have no other remedy other than to represent my grievance before Hon’ble Court .

6. It is, therefore, most humbly prayed that your goodself may kindly place this representation of mine before the then Hon’ble Administrative Judge of Mahoba Judgeship for his lordship’s kind consideration. It is further prayed that the Hon’ble Court may be pleased to kindly consider this representation of mine and make my proper assessment by expunging the said adverse remarks recorded by the learned District Judge, Mahoba , in my ACR for the Assessment Year 2021-22. I shall remain grateful to the Hon’ble Court for this grace throughout my life.

With profound regards,

Yours Sincerely,

Dated: 12 July , 2022

Annexures : As above

Sumit Gupta

Civil Judge (JD)- FTC/Crime Against Women
Mahoba