

From,

Dr. Vivek Kumar II,  
Additional Civil Judge (S.D), Court No. 1  
Kanpur Nagar

To,

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

Through: The District Judge,  
Kanpur Nagar

Subject: Representation against remarks given by the District Judge Kanpur Nagar in Column no 01(f)(i), 01(f)(ii), 01(f)(iii) 01(h), 2 and 4 in the annual self assessment 2022-2023 of case ID A00052972023.

Respected Sir,

The applicant most humbly beg to submit that the remarks given by the respected District Judge in annual Self assessment for the year 2022-2023 Case ID A00052972023 was communicated to the applicant through online portal on 05.05.2023

The applicant most humbly beg to submit following facts and circumstances regarding above subject for kind consideration before the Hon'ble Court/ Hon'ble Administrative Judge-

That it is submitted with all due respect that the applicant humbly represent against the remarks given by the respected District Judge Sri Sandeep Jain Sir in the column no 01(f)(i) of the ACR regarding marshalling of facts and in column no 01(f)(ii) regarding Appreciation of evidences and in column no 01(f)(iii) also regarding application of law and in column no 01(h) regarding control over the office and administrative capacity and tact where in the applicant have been awarded 'Satisfactory' entry by the respected District Judge. Regarding this remark, my humble submission is that I have decided 35 cases after actual full contest and I have applied relevant provisions of Acts, Rules, regulations and case laws. Any judgment and order was not returned back by any appellate court. I have try my best and remark awarded by Hon'ble District Judge "satisfactory" is not proper. Regarding control over office and administrative capacity and tact, the then Hon'ble District Judge evaluate applicant's performance as 'satisfactory'.

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Regarding this remark, my humble submission is that in whole year, any unpleasant issue has not been arisen in my court and office. On 19.07.2022, I have done casual inspection of my court and office. I have tactfully dealt with all issues and staff. It is also stated that, I am also member of Sub-committee, Physical verification, Kanpur Nagar. The applicant has sincerely strived for complete and proper updation of files on CIS pending in the Court. The applicant worked hard and with full devotion for successfully completing the Judicial as well as administrative work from time to time. So remark awarded by Hon'ble District Judge 'satisfactory' is not proper.

That it is submitted with all due respect that the applicant humbly represent against the remarks given by the respected District Judge Sri Sandeep Jain Sir in the column no 2 of ACR, regarding overall assessment of the merit of the officer wherein the applicant have been awarded 'Good' entry by the then respected District Judge.

That it is submitted with all due respect that the applicant humbly represent against the remarks given by the then respected District Judge Sri Sandeep Jain Sir in the column no. 04 of ACR, regarding other remarks wherein it was described by the then District Judge Sir " As per the Action Plan the officer was expected to decide 30 oldest original suits and 10 oldest execution cases, but the officer has decided 25/30 oldest original suits 9/10 oldest execution cases, As per the action plan, the officer has decided less number of original suits and execution cases. With greater experience and effort the officer will Certainly decide more cases in future." Regarding this remark my humble submission is that according to action plan I have decided 25 suits out of 30 Action plan original suits and 9 execution cases out of 10 Action plan execution cases. Apart from that, I have decided 271 cases which are five year old and 220 cases which are 10 year old and it is also important that I have decided 32 execution cases which has also been observed by the respected District Judge in the ACR. That my respectful submission is that the details of the some oldest cases decided by the applicant was not recorded by the respected District Judge Kanpur Nagar in column no 01 (e)(iii). From amongst the oldest civil cases disposed 01 Suit of 1967, 01 suit of 1968, 03 suit of 1970, 01 suit of 1971, 03 civil suit of 1972, 03 suit of 1973, 12 civil suit of 1974, 03 civil suit of 1975, 07 civil suit of 1976, 03 suit of 1977, 01 civil suit of 1978, 01 civil suit of 1979, 01 civil suit of 1980, 02

(3)

civil suits of 1981, 03 civil suits of 1982, 02 civil suits of 1984, 01 civil suit of 1986, 02 civil suit of 1987, 01 suit of 1988, 02 suits of 1989, 01 suit of 1990, 02 suits of 1992, 05 suit of 1993, 02 suits of 1994, 04 suits of 1995, 01 suit of 1996, 02 suits of 1997, 01 suit of 1998, 01 suit of 1999 and 2 suit of 2000 critically oldest files have been disposed by applicant. In addition to this the applicant has decided 35 civil suits offer actual full contest. I have also decided 01 oldest execution case of 1982 on full satisfaction.

That my respectful submission is that in the year 2022-2023, it has been recorded by the then Respected district judge Sir that the applicant had achieved 200.26% adequat disposal of work (after deduction of work claimed as link officer and for holidays). The applicant respectfully submits that he had achieved total 2048.78 Units against the target of 1200 Units, which is much above the target Units. I also wants to mention that my target was only 786 Units according to the G.O. issued by Hon'ble High Court excluding the leave and holidays etc. and I have achieved 1635.5 Units, which are more than prescribed target and I have done work whole year with my best efforts.

Apart form that one unpleasant circumstance occured in district Kanpur Nagar which are well-known by all. The advocate's strike continued near about 25 days. Judicial work hampered due to this cause also. 5 original Action plan cases and 01 execution Action Plan cases was in my target to decide within month of March but due to aforesaid mentioned unpleasant Circumstance, I was unable to decide the rest Action Plan cases.

My humble submission before Hon'ble court/Hon'ble Administrative Judge is that please remove the remarks awarded by Hon'ble District Judge in Column no. 01 (f)(i), 01(f)(ii), 01(f)(iii) 01(h) and 4. In spite of this, the "Good" entry awarded by Respected District Judge Kanpur Nagar, does not properly justifies the applicant's judicial and administrative work during the assessment year. Hence it is most modestly prayed to the Hon'ble court/Hon'ble Administrative Judge that the above mentioned fact may kindly be considered and the applicant's 'Good' entry in column No. 02 regarding the overall assessment may kindly be upgraded to any other higher suitable entry which the Hon'ble Court/Hon'ble Administrative Judge deems fit.

Kindly place my respectful submission before Hon'ble Court/Hon'ble Administrative Judge for kind and sympathetic consideration. I

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shall remain grateful to the Hon'ble Court/Hon'ble Administrative Judge throughout my life.

With regards.

Yours faithfully

Vivek Kumar  
30/05/2023

Dated: 30-05-2023

(Dr. Vivek Kumar II)

J.O. Code- UP2314

Additional Civil Judge (S.D.),

Court No. 1, Kanpur Nagar

Self Attested

Vivek Kumar  
30/05/2023

Addl. Civil Judge (S.D.)  
Court No. 1, Kanpur Nagar.