

To,

The Registrar General,
High Court of Judicature at
Allahabad

(With a request to kindly place it before the Hon'ble Administrative Judge,
Lakhimpur Kheri)

Through,

Respected District Judge
Kanpur Nagar

Sub: Representation against the remarks made by the then District Judge
Lakhimpur Kheri in my Self-Assessment for the period 1/04/2022-
31/03/2023.

Hon'ble Administrative Judge, Lakhimpur Kheri

My Lord,

I most respectfully beg to state as under:

In the given assessment year I was required to achieve 1000 units whereas I achieved a total of 1754.09 units that is 366.96 per cent. I have disposed of 137 civil cases and 61 criminal cases/matters which are more than five years old of which 19 Criminal cases and 8 Civil cases were contested. I have decided 07 civil cases on ex-parte basis. A total number of 21 execution cases were decided. A total number of 817 cases/matter decided during national Lok Adalat held in the given assessment year. I was holding the court of Addl. Civil Judge where I have disposed 4 injunction(6c) applications were granted on merit, because mostly the files were on mature stage and as a result of which there were few 6c/injunction applications in the said court.

Lordship my court had jurisdiction of both Civil and Criminal cases, Out of 30 original suits marked in the action plan during the given assessment year, 20 original suits were decided by me on civil side and out of 35 criminal cases/matters marked in the action plan during the given assessment year, I have decided 18 cases due to paucity of time. And I have also decided 8 Execution cases out of 10 marked in the action plan during the given assessment year for disposal.

The remarks given by the then District Judge, Lakhimpur Kheri in column 01 (e) (iii)

'137 civil cases and 61 criminal cases old more than 05 years out of them only 19 criminal and 01 civil case have been disposed on contest basis. 136 civil case disposed in dismiss in default or otherwise. Which is not actual disposal. The officer has decided 20 out of 30 O.S., 08 out of 10 execution cases and 18 out of 35 criminal cases from action plan 2022-2023. The disposal of action plan cases is much enough'

- My Lord, as the presiding officer of this court I have tried with the best of my knowledge and ability to complete requisite number of cases marked for disposal in the action plan provided by Hon'ble High Court during the given assessment year. I have disposed total number of 137 civil cases and 61 Criminal cases of which 8 Civil Cases were contested and 19 Criminal contested cases. Sir, respected District Judge has shown that I have disposed only 1 Contested Civil case whereas I have disposed 8 Civil contested cases during the assessment year, which are attached here as **Annexure-1**. The reason of this difference has nowhere been shown by respected District judge. Respected District judge has shown that uncontested disposal is not actual disposal. My Lord, the applicant has nowhere claimed any quota regarding disposal of uncontested cases, mere final disposal number has been shown by me, the record of which can be found in the statements provided by me in the self-assessment furnished.

The remarks given by the then District Judge, Kanpur Nagar in column 01 (g)

"The officer has shown achievement of 1572.09 units against actual target 542.78 units, which is 289.6%. But the officer claimed wrongly days for not holding court. It is 20 days excessive than actual and he also claimed excessive units than he achieved in actual. His actual achievement is 1248.09 units, while his actual target was 620.06 units instead of 542.78 units. The actual achievement in percent is 201.28% The officer has achieved 459.82 units from final disposal during September 01, 2022 to March 31, 2023 against required units 172.76 as per G.L. No. 11/IV-h-14/2022 Dated: Allahabad: August 18,2022. Which is 266% of target. It is quite enough.

- My Lord, with due respect I would like to state that such a remark is unwarranted, unreasoned and uncalled for. As a matter of fact, as per direction of Hon'ble High Court I have always tried to dispose as much cases as I can with my potential. Respected District judge has shown that applicant has shown achievement of 1572.09 units against actual target 542.78 Units, which is 289%. But the above-mentioned figure shown by respected District Judge is nowhere shown by the applicant. Infact the applicant has shown the figure of actual target as 478.48 and actual achievement of 1754.09 Units.The variation in the figure given by respected District Judge has not been made clear and the reduction/variation in the units shown by District Judge is neither supported by any substantive material nor any reason.

The learned District Judge has himself remarked that the units achieved by me and the disposal done by me in the Action Plan for the given assessment year **IS QUITE ENOUGH**. Since the disposal was enough as already remarked by the learned the then District Judge, and there was no deviation from the Unit system as mandated by the Hon'ble High Court, as already explained above, such a remark given by the the then District Judge is uncalled for and furnished without giving any reason/evidence for the same.

- Respected District Judge has written that the applicant has claimed 20 days extra for not holding court. But what the applicant has shown in the statement is being mentioned below for Lordships kind perusal:-

JTRI training -5 days

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| IIPA Delhi Training | -5 days |
| Sunday | -48 days |
| 2 nd and 4 th Saturday | -19 days |
| Casual Leave | -20 days |
| Earned Leave | -19 days |
| Medical leave | -10 days |

Other Holidays(33days) includes

- 10 days June Recess
- 7 days Winter vacation
- 14/04/2022 Declared Holiday
- 16/05/2022 Declared Holiday
- 13/07/2022 Declared Holiday
- 09/08/2022 Moharram Holiday
- 04/10/2022 Declared Holiday
- 05/10/2022 Dashehra Holiday
- 03/11/2022 Declared Holiday
- 08/11/2022 Local Holiday
- 24/10/2022-25/10/2022 Deewali holidays (2 days)
- 26/10/2022 Local Holiday
- 26/01/2023 Republic day
- 18/02/2023 Mahashivratri holiday
- 07/03/2023- 08/03/2023 Holi Holidays (2 days)
- 30/03/2023 Ram Navami holiday.

Lordship, I have clearly shown in my statement that my working days were 206 days after subtracting my leaves and holidays. There is no issue regarding working days vis-a-vis work disposal. I have attached all the statements regarding the work and disposal done by me as clearly as possible, the record of which is annexed herewith as copy of my daily sitting, marked here as **Annexure-2** for My Lords kind perusal . My Lord, with due respect such a remark is unwarranted, unreasoned and uncalled for.

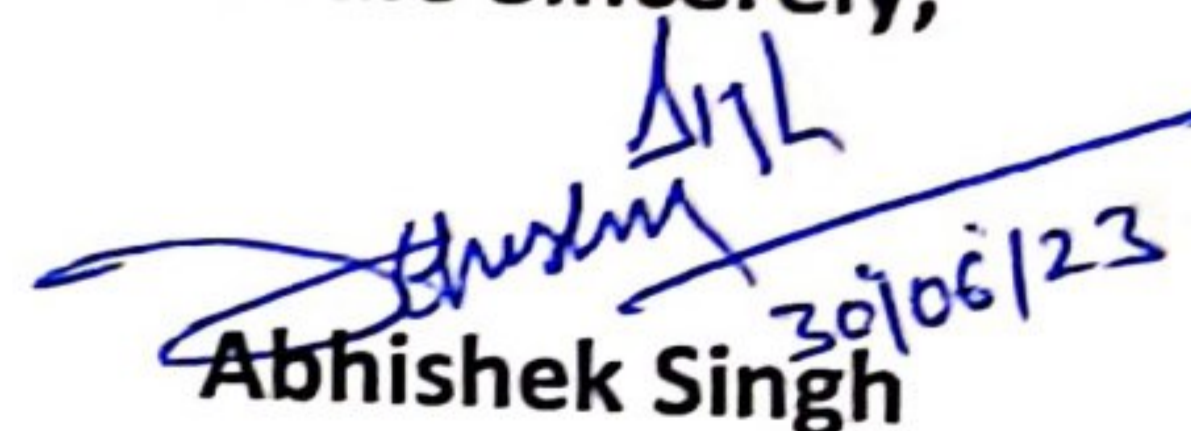
Lordship respected District judge has shown that 'I have claimed excessive units than I achieved in actual'. But he has not shown that for which disposal I have claimed excessive units. The reduction/variation in the units shown by District Judge is not supported by any substantive material nor any reason was given for such a remark. In this regard also I have always prepared the disposal statement as mandated by administrative office of District Judge and also according to the Circulars of Hon'ble High Court as per **General letter no. 11/IV-h/14/2019; Dated:Allahabad: March 05,2019 &General letter no. 11/IV-h/14/2022; Dated:Allahabad: August18,2022**, attached herewith as **Annexure-3**. Other senior officers and my colleagues of the station have also prepared their statements in the same manner and the applicant has always sought their guidance in preparing the statements. The respected District judge required the monthly disposal statement by the end of each month which was discussed at length in the monthly meetings and did the respected district judge pose any questions or give any notice/ DO to the applicant for having claimed more units than I actually achieved nor any explanation whether oral or written was called from me in this regard.

My Lord, in my attempt to dispose of maximum cases I have tried to fix short dates, discouraged adjournment, motivated parties to enter into a compromise where the law permits so, but I unknowingly and by honest mistake/ignorance any inconvenience has occurred in the administration of judicial work, I most humbly apologize for the same and assure you My Lord to improve myself and not to repeat such irregularities if any in future. My intentions were never malafied.

Thanking you in anticipation of your Lordships empathetic view in this matter.

Date: 30.06.2023

Yours Sincerely,


Abhishek Singh 30/06/23

Addl. Civil Judge(JD)-4

Kanpur Nagar

JO UP3453