

From,

Arnav Raj Chakravorty
Judicial Magistrate, Court No. III
Prayagraj

To,

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

Through,

The District Judge,
Prayagraj

Subject: Submission of representation against the adverse remarks recorded by Shri Santosh Rai, the District Judge in my Annual Confidential Report for the Assessment Year 2022-23.

Sir,

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

1. That during the Assessment Year 2022-23, I was posted as Civil Judge (Junior Division), Jalaun from the period 01.04.2022 to 04.07.2023, and Judicial Magistrate, Court No. III, Prayagraj from the period 06.07.2022 to 31.03.2023 and during that period, Shri Santosh Rai was the learned District Judge while I was posted as Judicial Magistrate, Court No. III, Prayagraj who has recorded entries in my ACR for the said Assessment Year 2022-23 thus:

Integrity of Officer – No written Information against integrity has been received, hence certified, cool minded, private character is good, Unnecessary adjournments avoided, total percentage of work done 265.22%, behaviour and relation with brother officers- good, inspections of court & office- full and effective, punctual and regular sitting on dais during court hours, amenable to the advice of the District Judge & other superior officers, Behaviour towards women – Good.

2. That certain adverse remarks have been recorded by Learned District Judge, against me in the Assessment Year 2022-23, regarding the fairness and impartiality in dealing with public and Bar, where I have been remarked as “Poor” as per *Oral Information received from the Bar*. It is most humbly submitted that the remark is wholly based on the oral information where I have been most considerate towards the Bar, and have cordial relationship with the bar. It is most humbly prayed that I have maintained due respect and understanding of the relation with Bar. No written communication has been cited in the remarks which makes it apparent that, I have taken every care to maintain a fair relation and have

put in all kind of efforts to strengthen the relation between Bar, Bench and public. No impartial conduct or behaviour has been imparted towards any member of public or bar from my side. Oral complaint might have been made by certain counsel whose application had been rejected being devoid of merit, but they are in habit of complaining in the Judgeship at Prayagraj.

3. That the adverse remark recorded by the Learned District Judge against me in the Assessment Year 2022-23 is in reference to non-fixation of adequate cases to engage in the court hours, where I have been remarked as “*No. Adequate numbers of case were not fixed to engage himself during full court hours.*” It is most humbly stated that the court of Judicial Magistrate Court No. III, Prayagraj has pendency of more than 13,547 criminal cases and an average number of cases fixed on a day are around 250 cases of various types.
4. That the adverse remark recorded by the Learned District Judge against me in the Assessment Year 2022-23 regarding Progress and disposal of execution cases where it has been remarked that “*No execution cases have been tried to be disposed*”, whereas it is most humbly submitted that every possible efforts had been made to expedite the process of disposal of Execution Cases and **01 (One) Execution Case had been disposed in the Court of Civil Judge (Junior Division), Jalaun** whose details are as follows:

Sr. No.	Case No.	CNR Number	Party Name	Date of Disposal
1.	Execution Case No. 01/2002	UPJL120000252002	Ramswaroop Swarnkumar Vs. Garibdas	25.05.2022

It is therefore most humbly prayed that the observation of the Learned District Judge that I had not tried to dispose Execution Case then pending in my court is factually not correct.

5. That the adverse remark recorded by the Learned District Judge against me in the Assessment Year 2022-23 regarding Whether Interim Order, injunction being granted, refused or retained for sufficient reasons? I have been remarked as “*Not sufficient reasons but average reasons given*” whereas It is most humbly submitted that **I have been in the Court of Judicial Magistrate Court No. III, where the court only has pendency of Criminal Cases and not Civil Cases, therefore it is most humbly prayed that since the court has exclusive jurisdiction of Criminal Cases** and being in the Court of Judicial Magistrate, Court No. III, Prayagraj I had no occasion to deal with civil cases. Therefore, the adverse remark be kindly expunged.
6. That the adverse remark recorded by the Learned District Judge against me in the Assessment Year 2022-23 regarding Whether Judgements on facts and Law

are on whole sound, well-reasoned and expressed in good language. I have been remarked as “*The judgement were not well reasoned and were not expressed in good language*” whereas it is most humbly submitted that I have delivered Judgements and passed on valid ground with sufficient reasoning. The Judgements have been passed with sufficient application of mind and supported by cases laws when required. The Judgements have been properly reasoned and sufficient evidences have been compared in judgement writing whether oral or written. It is therefore most humbly prayed that it is unfortunate for me that the above aspects have been overlooked and adjudged. Judgments that were passed are uploaded for due consideration.

7. That the adverse remark recorded by the Learned District Judge against me in the Assessment Year 2022-23 regarding Marshalling of Facts where I have been remarked as “Average” whereas it is most humbly submitted that the Orders and Judgements passed by me have been passed with sufficient application of mind looking into the facts and circumstances of each case. The facts of every case have been arranged systematically in every aspect and only after identifying the factual issues the orders have been passed.
8. That the adverse remark recorded by the Learned District Judge against me in the Assessment Year 2022-23 is in reference to the remarks given regarding Appreciation of Evidence, where I have been remarked as “Poor” whereas it is most humbly submitted that the Orders and Judgements passed by me have been passed after relying on evidences tendered in each case and the likelihood of that thing or fact supported by evidence. Sufficient reliance has been placed for scrutinizing the facts and information asserted in every case supported by evidence whether oral or documentary.
9. That the adverse remark recorded by the Learned District Judge against me in the Assessment Year 2022-23 is in reference to the remarks given regarding Application of Law, where I have been remarked as “Average” whereas it is most humbly submitted that the Orders and Judgements passed by me have been passed after sufficient application of mind giving good reasons applying the general solution provided by law to a factual situation that meets the conditions thereof. The Judgements have been passed with sufficient application of mind and supported by cases laws when required.
10. That the adverse remark recorded by the Learned District Judge against me in the Assessment Year 2022-23 regarding Control over the Office and Administrative capacity and tact, where I have been remarked as “Average” whereas it is most humbly submitted that regular office inspections have been made and various directions have been issued to manage the affairs of the Office. Effectiveness of such inspections has been adjudged as Complete and Full in other remarks. I have made every endeavour to have an effective control over the office

where the office and court staffs have been amenable to me. Therefore, the adverse remark be kindly expunged.

11. That the adverse remark recorded by the Learned District Judge against me in the Assessment Year 2022-23 regarding Overall Merit Assessment to be Average, for which it is most humbly submitted that my Disposal is 265.22%. I am Amenable to the advice of the District Judge and other superior Officers in the Court. My relations with the bar are cordial and considerate towards other colleagues. I have exercised effective control over the Court and office and kept testing the work of the office at regular intervals.
12. That I have so far served for less than 05 years in the lower judiciary and have got appreciated service record so far and have never earned any displeasure from any of my District Judges or from the Hon'ble High Court and have always tried to discharge my duties with utmost devotion and dedication.
13. It is, therefore, most humbly prayed that your goodself may kindly place this representation of mine before the then Hon'ble Administrative Judge of Prayagraj 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 adverse remarks as recorded by the Learned District Judge in my ACR for the Assessment Year 2022-23. I shall remain grateful to the Hon'ble Court for this grace throughout my life.

With Profound Regards,

Yours Sincerely,

Dated: July, 2023

Annexure: As Above

(Arnav Raj Chakravorty)
Judicial Magistrate, Court No. III
Prayagraj