

From:

Nirbhay Narain Rai
Additional District and Sessions Judge
Sambhal at Chandausi.

To,

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

Through:

The District Judge
Sambhal at Chandausi.

Subject: Representation against the remarks given by the Learned District Judge, Sambhal at Chandausi for the year 2023-24.

Respected Sir,

1. It is most humbly submitted that the Annual Confidential Remarks (ACR) were communicated to me on 30-5-2024 through the e-services portal for the judicial officers. In these remarks the Learned District Judge, Sambhal at Chandausi, while assessing my overall performance as "Good" upon my self-assessment form for the assessment year 2023-24 has remarked in Column No. 01(a) while assessing the "integrity of the officer" that "There are many transfer application against him casting aspersions on his integrity but no person has come up with any clinching evidence."
2. It is most humbly submitted that the above remark can adversely affect my future career prospects as well as cause damage to my service record which has been unblemished till now. In my eighteen years of service, I have never been allotted any adverse remarks with respect to my integrity. The remark objected to herein appears to be solely based upon some transfer applications which were filed without any evidence or proof of any wrongdoing on my part. It is pertinent to mention here that no complaint has been filed against me by any individual or by any Learned Member of the Bar casting doubts on my integrity and honesty in the assessment year 2023-2024. It is also humbly submitted that the practice of applying for transfer applications is a routine practice undertaken by litigants as well as Learned Members of the Bar to delay the proceedings.
3. It is also humbly submitted that due to these transfer applications which were filed, I was asked to give comments by the Learned District Judge, Sambhal at Chandausi and I submitted the same to the Learned District Judge denying all allegations as baseless. It is also pertinent to mention here that as per the remarks of the Learned District Judge in my ACR, there exists no clinching evidence on record to cast doubts on my integrity. Furthermore, it is also humbly submitted that as per my knowledge, it is clear that out of the four transfer applications which were filed and for which comments were sought from me, only one transfer application was allowed while the other three were rejected as baseless or directions were given to dispose the cases concerned expeditiously. This also supports my humble submission that no doubt over my integrity was ever raised nor any evidence existed to cast such doubt.
4. It is also humbly submitted that I have achieved a total of 1949 units as against the prescribed standard of 1200 units. Furthermore, I disposed a total of 31 cases which were more than 5 years old and 26 cases which were more than 10 years old. I also took keen interest in Lok Adalats and decided 30 cases. 13 cases were decided by me which were related to litigants who were older than 65 years of age. It

2

is also humbly submitted that in addition to this, I was also entrusted with administrative work by the Learned District Judge, Sambhal at Chandausi as Drawing and Disbursing Officer, Chairman of the Infrastructure Committee and Chairman of the Shelter Home Inspection Committee.

5. It is also humbly submitted that keeping in view the quantum of judicial work and administrative work done by me, I humbly pray for an upgradation in my self-assessment form for the year 2023-24 of my Annual Confidential Remarks as well as the remarks in the Column No. 01(a) may kindly be expunged and upgraded to match my integrity and honesty.

6. It is also humbly submitted that in the Column No. 01 (f) (iv) the Learned District Judge has graded my judgments "B" which denoted "Average" while remarking "Proper" in Columns No. 01 (f) (i) (ii) and (iii) pertaining to my marshalling of facts, appreciation of evidence and application of law respectively. It is humbly submitted that this is contradictory in itself and requires rectification as my judgments are based on proper and well-reasoned application of judicial mind and established principles of law. Therefore, it is also humbly prayed that the remark of "B" in the Column No. 01 (f) (iv) may also kindly be upgraded accordingly.

It is humbly prayed with folded hands that my representation may kindly be placed before the Hon'ble Court for kind and sympathetic consideration.

With regards.

Date: 04-06-2024

Yours faithfully,

Nirbhay Narain Rai
(Nirbhay Narain Rai) 04-06-2024
Addl. District and Sessions Judge
Sambhal at Chandausi.
I.D. no. UP6312