

29.06.2024

From,

Abhishek Tripathi-II (UP3320)
Principal Magistrate
Juvenile Justice Board, Aligarh.

To,

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

Through,

The District Judge,
Aligarh.

Subject: Representation against the only remark regarding grant of interim order, injunction order during the Assessment Year 2023-24 as recorded by Shri Sanjiv Kumar, Learned District Judge, Aligarh.

Respected Sir,

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

1. That I belong to the 2018 batch of Civil Judges (Junior Division) and joined my judicial service as Judicial Magistrate-I, Mahoba on 16.11.2019 and thereafter underwent my foundation level training conducted by the Institute of Judicial Training & Research, Uttar Pradesh, Lucknow..
2. That during the Assessment Year 2023-24, I was posted as Civil Judge (Jr. Div.)-Charkhari, Mahoba from 01.04.2023 to 28.04.2023 and thereafter was transferred from Mahoba to Aligarh. I joined as Additional Civil Judge (Jr. Div.) Court No.3 from 29.04.2023 to 20.11.2023 and thereafter joined as Judicial Magistrate Court No.2 from 21.11.2023 to 04.03.2024 and later on as Principal Magistrate, Juvenile Justice Board Aligarh from 05.03.2024 to 31.03.2024.
3. That the learned District Judge, Aligarh has recorded following appreciative entries in my ACR for the Assessment Year 2023-24 except that I had not granted interim orders or injunction orders for sufficient reasons during the said assessment year 2023-24:

"integrity-beyond doubt, fair & impartial in dealing with the public & bar, cool minded, there was nothing adverse against my private character, fixing of cause list-proper, sufficient number of cases fixed to keep engaged during full court hours, unnecessary adjournments avoided, judgments on facts and law-sound and well reasoned and expressed in good language, marshalling of facts-proper, appreciation of evidence-proper, application of law-proper, 02 execution cases decided, total work done adequate, control over the office and administrative capacity & tact-good, relation with members of Bar-very good, behaviour in relation to brother officers-very good, inspections of court & office-full & effective, punctual and regular in sitting on dias during court hours, amenable to the advice of the District Judge & other superior officers, behaviour towards women, respect and sensitivity exhibited towards them-decent, state of health-sound, overall assessment of the officer-"Good".

4. That the only adverse remark recorded by the said learned District Judge, Aligarh against me in the Assessment Year 2023-24 is that I had not granted interim orders or injunction orders for sufficient reasons during the whole year.
5. That during the assessment year 2023-2024, I had achieved 2476.13 Units against the prescribed 1183.33 Units towards the work done during the said assessment year which is 209.25% and the same is adequate and above the norms. I had thus done more work than required under the relevant circular letters and the learned District Judge himself has recorded that the work done by me during the said assessment year was adequate.
6. That during the assessment year 2023-24, I disposed of 332 criminal cases and 05 civil cases that were more than 5 years old and 51 criminal cases and 24 civil cases that were more than 10 years old. Regarding the oldest criminal pendency, I disposed of maximum number of old cases pending in my court and reduced the oldest pendency.
7. That during the assessment year 2023-24, I presided over civil court for a period of almost 8 months (in the month of june no civil work is done because of summer vacations therefore only 7 months approx.) and disposed of 05 civil cases that were more than 5 years old, as well as 24 civil cases that were more than 10 years old. Most of the cases pending in Additional Civil Judge Court

no.03 were less than 05 years old. During this assessment year, I also disposed of 2 execution cases out of 6 in Civil Judge (Jr. Div.) Court-Charkhari, Mahoba and no execution case was pending in the Additional Civil Judge (Jr. Div.) Court no.03. Additionally, a total of 1667 cases were disposed of in the National Lok Adalats held during the assessment year.

8. That during the said assessment year, I have disposed 52 interim injunction application and out of these 02 were contested disposal and decided on proper and sufficient grounds. Since, in the Additional Civil Judge Court no.-03 which were vacant till I joined all files were transferred from another court by the order of learned District Judge and in most of the files injunction applications were already disposed off. Also, after receiving file, the applicant follow the Rule 89 A of General Rule Civil and then proceed with the case which took time to proceed with the case and in the meanwhile the applicant was transferred to Court of Judicial Magistrate (Court No.-2, Aligarh). The applicant made serious effort and in the cases where after due compliance of Rule 89A of General Rule Civil, parties appear before the court the interim applications were decided and interim orders were passed with sufficient reasons.
9. That it is most humbly submitted that I have decided 54 actual contested judgement and achieved 2476.13 Units against the prescribed 1183.33 Units towards the work done during the said assessment year which is 209.25% and the same is adequate and above the norms. Also, I achieved successfully the target of action plan and disposed more oldest files than required and acheived 1299.58 Units against the prescribed 344.40 Units towards the final disposal units. I gave more than required percentage of quantum of work during the said assessment year.
10. I have so far served for less than 5 years in the district judiciary. During this period, I underwent one year of foundation level training. I have an appreciated service record and have never received any displeasure from any of my Learned District Judges or from the Hon'ble Court. I have always performed more work than required, striving with full devotion to my duties as a judicial officer. I conscientiously assure the Hon'ble Court that I will continue to perform a considerably high volume of work in the future. However, the overall assessment of my merit in my Annual Confidential Report (ACR) for the year 2023-24 at serial No. 2 is discouraging to me, despite my extensive efforts. I have no


recourse other than to represent my grievance before the Hon'ble Court.

11. It is, therefore, most humbly prayed that your goodself may kindly place this representation of mine before the then Hon'ble Administrative Judge of the District Court, Aligarh 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 aforesaid only remark on the point of no grant of interim or injunction order on sufficient grounds and by upgrading my overall assessment as recorded by the learned District Judge, Aligarh in my ACR for the Assessment Year 2023-24. I shall remain grateful to the Hon'ble Court for this grace throughout my life.

With profound regards,

Annexure: As above

Your's Sincerely,


29/06/2024
(Abhishek Tripathi-II)
Principal Magistrate
Juvenile Justice Board
Aligarh.