

To,

The Registrar General,
High Court of Judicature at
Allahabad,

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

Through,

The Respected District Judge,
Kanpur Nagar

Sub: Representation against the remarks given by the Respected District Judge, Kanpur Nagar in Annual Self-Assessment for the period 01/04/2023-31/03/2024.

Hon'ble Administrative Judge, Kanpur Nagar

My Lord,

It is most respectfully and humbly submitted that for the Assessment year 2023-24, the respected District Judge, Kanpur Nagar has mentioned in Column no.01 (f) Whether Judgement on facts and on law are the whole sound, well reasoned and expressed in good language ?

"The officer required improvement in narrating the facts and she needs some practice on mentioning the law. She also needs some attention on reasoning."

In Column No. 4, Respected District Judge has mentioned Other remarks, if any


"The Officer is suggested to compose conventionally. She is also suggested that paragraph should not be started with words लेकिन, किन्तु परन्तु। Pleading should not be copied in the judgement. She applied the law in discreet manner. The laws should be applied and discussed issue-wise. The Officer should deliberate the connection of cited laws with the facts in hand."

During assessment year, no any transfer application is moved in connection with the cases pending in the Court of the Officer.

There is a one complaint against the Officer. It is alleged therein that the Officer is not passing order, even after hearing on the application for interim injunction. On the report submitted by the Officer, she was suggested to minimize the period for passing the order and also suggested to be more conscious and sensitive in disposal of application for interim injunction.

The nature of the Officer is polite. She had good relation with the members of Bar and Bench.


The Officer was entrusted with five enquiries and two reconstructions. She has submitted report in four enquiries.


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Firstly, as far as remarks *'The Officer is suggested to compose conventionally. She is also suggested that paragraph should not be started with words लेकिन, किन्तु, परन्तु। Pleading should not be copied in the judgement. She applied the law in discreet manner. The laws should be applied and discussed issue-wise. The Officer should deliberate the connection of cited laws with the facts in hand,'* is concerned, it is most respectfully submitted that the undersigned has attached three judgements for the Assessment year 2023-24. In the judgements attached, the undersigned has given conclusion on every issue framed discussing the pleading, evidence and relevant provisions of law. The undersigned has categorically mentioned the facts of the case, oral and documentary evidence, issues framed and thereafter the undersigned has discussed all the issues with the relevant pleading, evidence and relevant case laws. The undersigned has discussed all the issues and given separate finding and conclusion on every issue. It is most humbly submitted that as per my understanding all issues should be decided by the court and the language of the judgement should be of common parlance leaving no ambiguity, regarding the final decision and adjudication by the court. The undersigned has appraised the pleadings in light of the evidence given by the parties and cited case laws relevant to issues involved. Clean, concise and categorical findings have been given by the undersigned on each issue framed leaving no ambiguity as such. As far as remarks, She is also suggested that paragraph should not be started with words लेकिन, किन्तु, परन्तु is concerned, it is most humbly submitted that it was the pleadings of the parties as enumerated in the plaint and written statement filed by the parties and the court did not deem it proper to change the terminology used by the parties. It is my humble submission that she will always be mindful of the suggestions given by the respected District in future.

Secondly, as far as remarks, *There is one complaint against the Officer. It is alleged therein that the Officer is not passing order, even after hearing on the application for interim injunction. On the report submitted by the Officer, she was suggested to minimize the period for passing the order and also suggested to be more conscious and sensitive in disposal of application for interim injunction,* is concerned, it is most humbly submitted that the case in question was presented before the undersigned for the first time on 03/08/2023 and notice was issued to the defendant. Plaintiff's counsel was continuously pressurizing on the court that the order should be passed without giving any opportunity to the defendant, even though the notice was issued by the court to the defendant. When the court did not pass the order in favour of plaintiff. The Complainant mala fide filed the complaint before the respected District Judge Kanpur Nagar in order to create undue pressure on the court. The Complaint was disposed by respected District Judge with the suggestion mentioned above. The undersigned would humbly like to draw your kind attention to the fact that in the same matter a transfer application no. 43/2024 was filed by the complainant which was rejected by the respected District Judge on 3,000/- rupees costs and it was also mentioned by the Respected District Judge, Kanpur Nagar in his order dated 22/04/2024 that ...*"आदेश पत्र के अवलोकन से यह भी विदित होता है कि विचारण न्यायालय के पीठासीन अधिकारी द्वारा मामले के निस्तारण में जानबूझकर कोई विलंब कारित नहीं किया गया है और आवेदकगण का यह आरोप भी पूर्णतया निराधार है कि प्रतिवादी द्वारा यह कथन किया गया कि उसने न्यायालय को मिला लिया है। वर्तमान अंतरण प्रार्थना पत्र पर व्यक्त उपरोक्त अभिमत से यह स्पष्ट है कि आवेदकगण द्वारा न्यायालय के पीठासीन अधिकारी को मिथ्या व तंग करने वाले आरोप लगाए गए हैं ऐसी दशा में आवेदकगण पर 3,000/- रुपये हर्जाना अधिरोपित किया जाना विधिसंगत है।* I would like to draw Lordship's kind attention to the conduct of the complainant, that the complaint was filed with the intention to create undue pressure on the court.

Thirdly, as far as remarks, *The Officer was entrusted with five enquiries and two reconstructions. She has submitted report in four enquiries,* is concerned, it is most humbly submitted that the undersigned was entrusted with five preliminary enquiries and


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four reconstructions. The undersigned has disposed four preliminary enquiries and three reconstruction enquiries in the assessment year 2023-24. The details of enquiries as enumerated below-

Sr. No	Inquiry no	Date of disposal
1.	Preliminary Inquiry no. 15/2023	29.08.2023
2.	Preliminary Inquiry no 08/2023	27.09.2023
3.	Preliminary Inquiry no 4/2024	05.02.2024
4.	Preliminary Inquiry no 5/2024	11.03.2024
5.	Reconstruction Inquiry no 12/2023	29.08.2023
6.	Reconstruction Inquiry no 6/2023	08.01.2024
7.	Reconstruction Inquiry no 40/2023	18.03.2024

Alongwith the above the undersigned achieved 1204.31 units against the targetted unit of 678.48 units(177%). The undersigned has disposed 85 cases of civil nature which are more than five years old and 45 cases which are more than 10 years old. The undersigned has disposed 26 cases of action plan category.

As far as the suggestions given by the Respected District Judge, Kanpur Nagar, the undersigned assures that it will be always kept in mind and the same shall be fully incorporated.

I most respectfully and humbly request your Lordship to kindly consider my representation. For this act of grace, I shall remain highly obliged to your Lordship.

Thanking you.

With profound regards.

Date:- 02/07/2024

Rewa
02/07/2024
Rewa,

Addl. Civil Judge (J.D.)-05,

Kanpur Nagar,

J.O. Code- UP 3587.