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From,

Bhartendu Prakash Gupta,
Civil Judge (Senior Division)
BANDA
ID No.- UP1874

To,

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

Through,

The District Judge,
Banda

Subject: **Representation for according to appear in UP Higher Judicial Service Suitability Test 2018 (Part-III) to be held on 24-11-2019.**

Respected Sir,

The humble applicant most respectfully Showth as under:

1. That the applicant is posted as Civil Judge (Senior Division) - BANDA
2. That the applicant was promoted to Civil Judge (Sr.Division) Cadre on **15.10.2015.**
3. That the applicant though appeared in the examination of UP Nyayik Sewa Civil Judge (Junior Division) 2000 as a general catagory candidate but before the schedule written examination of that year the caste of the candidate i.e. "Kalal" was included in the list of Other Backward Classes (OBC) by amending the first schedule to the UP Public Service (Reservation for Scheduled Caste, Scheduled Tribes and Other Backward Classes) Act-1994.
4. That the applicant appeared in the UP Nyayik Sewa Civil Judge (Junior Division) Exam-2000, written exam held on 4th, 5th and 6th August 2000 and thereafter he made a representation accordingly after obtaining OBC certificate, before the UP Public Service Commission, Allahabad for availing the opportunity of newly added OBC catagory as the applicant belonged to the caste "Kalal", But unfortunatly the UP Public Services Commission did not accepted the representation and denied the applicant to give the benifits of OBC candidature.
5. That aggrieved applicant had to file a writ petition in The Hon'ble High Court of Judicature at Allahabad, Civil Misc. Writ Petition no. **3012/2003**, Bhartendu Prakash Gupta Vs UP Public Service Commission and others and The Hon'ble High Court of Judicature at


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Allahabad vide its order dated 19-12-2003 was kind enough to grant the applicant relief and directed the UP Public Service Commission to treat my candidature as OBC Catagery.

6. That the UP Public Service Commission filed S.L.P. in The Hon'ble Supreme Court and the S.L.P. was converted in a Civil appeal no. 2632/2006, UP Public Service Commission & Others Vs Bhartendu Prakash Gupta & Others against the decision of The Hon'ble High Court of Judicature at Allahabad before The Hon'ble Supreme Court which was ultimately confirmed the decision of The Hon'ble High Court of Judicature at Allahabad by The Hon'ble Supreme Court on **26-02-2009** and finally the UP Public Service Commission considered the candidature of applicant in OBC catagory and UP Government issued my appointment order on 29-03-2010 and The Hon'ble High Court notified me as Civil Judge (Junior Division) on **08-04-2010**.
7. That accordingly the applicant joined as Additional Civil Judge (Junior Division), Farrukhabad on 09-04-2010.
8. That the Hon'ble High Court Allahabad promoted the applicant in the Civil Judge (Senior Division) cadre on **15-10-2015** and posted as Chief Judicial Magistrate, Ghaziabad, consquently the applicant joined as Chief Judicial Magistrate, Ghaziabad on 19-10-2015 and thereafter the applicant was also posted as Judge Small Causes Court, Ghaziabad.
9. That the applicant's seniority as per the "Civil List of Officers in year 2016 Civil Judge (Senior Division) & Chief Judicial Magistrate's seniority wise, the applicant was placed at Sr. No. 25 of 2000 batch i.e. immediately Junior to Shri Shitla Prasad and immediately senior to Shri Sanjiv Kumar Singh.
10. That vide The High Court Notification No. 1907/Admin(Services)/2018, Allahabad dated 04-07-18 the petitioner was posted as Additional Civil Judge (Senior Division-I), Ghaziabad. The petitioner's seniority was affected in as much as that from seniority no. 25 of 2000 batch he was now placed at the bottom of the 2006 batch and was accordingly posted as Additional Civil Judge (Senior Division-I), Ghaziabad.
11. That aggrieved by the Hon'ble High Court's letter no. 432/Admin (Services)/2018/Dated 09-07-2018, the applicant has challanged the same notification of The Hon'ble High Court of Judicature at Allahabad, where by the seniorty of the applicant has been wrongly

B. P. Singh
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determined. The applicant filed a writ petition before The Hon'ble High Court against the impugned order dated 09-07-2018, the writ petition no. **WRIT-A-789/ 2019, Bhartendu Prakash Gupta Vs State of UP and others**, which is pending.

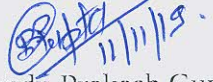
12. That from the above facts it is evident that the applicant has completed more than four years services in the Civil Judge (Senior Division) cadre.
13. That the applicant has completed three years and eleven months of the services in the Civil Judge (Senior Division) Cadre much before the 30-09-2019 i.e. the date of eligibility for appearing in Suitability Test 2018 (Part-III) scheduled to be held on 24-11-2019.
14. That unfortunately applicant's name is not appearing in the list of candidates permitted to appear in the Suitability Test 2018 (Part-III) scheduled to be held on 24-11-2019.
15. That the applicant's career has been blotless so if he is not permitted to appear in this suitability test 2018 (Part-III) scheduled to be held on 24-11-2019, he will suffer irreparable loss and mental agony.

It is therefore most humbly prayed that my representation may kindly be placed before the Hon'ble Examination Committee for sympathetic action and permitting the applicant to appear in the UP Higher Judicial Service Suitability Test 2018 (Part-III) scheduled to be held on 24-11-2019.

With regards

Yours Sincerely

Dated: 11-11-2019


Bhartendu Prakash Gupta
Civil Judge (Senior Division)
Banda.
I.D.NO-UP1874

Enclosure: Copy of Profile.

Office of the District Judge, Banda
No. 3042/I. Dated 11/11/19
FORWARDED


District Judge
BANDA
11-11-19

HIGH COURT OF JUDICATURE AT ALLAHABAD

BHARTENDU PRAKASH GUPTA

Civil Judge (Senior Div.)
Banda

Id No:	UP1874
Father's/Husband's Name:	CHANDRA PRAKASH GUPTA
Address:	193, KALPANA NAGAR, CIVIL LINES, ETAWAH
Date of Birth:	03/02/1970
Date of Retirement:	28/02/2030
Home District:	Etawah
Home State:	Uttar Pradesh
Date of Appt. in Judicial Service as Munsif/CJ(JD):	08/04/2010
Date of Promotion in CJ/CJ(SD):	15/10/2015
Date of Conf. on Munsif/CJ(JD):	
Date of Promotion to Class-I:	15/10/2015
Date of Joining in HJS under Rule 22(3) of UP HJS Rule 1975:	
Date of Joining in HJS under Rule 22(1) of UP HJS Rule 1975:	
Date of Conf. in HJS:	

Qualification Details

SL	DETAILS	DIVISION	YEAR
1.	High School	Second	1985
2.	Intermediate	Second	1987
3.	B.Sc.	Second	1990
4.	LL.B.	Second	1994

Training Details

SL	SUBJECT	INSTITUTE	FROM-TO
1.	Induction Training Programme	I.J.T.R., U.P. Lucknow	03/01/11 - 02/04/11
2.	Induction Training Programme (3rd Phase)	I.J.T.R., U.P. Lucknow	08/08/11 - 07/11/11
3.	Management Skills Development Programme	AIMT, Greater Noida	08/10/12 - 13/10/12
4.	Refresher Training Programme	I.J.T.R., U.P. Lucknow	07/01/13 - 11/01/13
5.	Refresher Training Programme for Civil Judges under 13th Finance Commission Scheme	I.J.T.R., U.P. Lucknow	06/01/14 - 10/01/14
6.	Ubuntu-Linux 14.04 Cum CIS Training Programme	I.J.T.R., U.P. Lucknow	22/07/15 - 23/07/15
7.	Refresher Training Programme for Judicial Officers under 14 Finance Commission Scheme	I.J.T.R., U.P. Lucknow	03/10/17 - 07/10/17
8.	Training Programme on UBUNTU 16.04 & CIS 2.0	I.J.T.R., U.P. Lucknow	20/12/17 - 21/12/17

Posting Details

SL	DESIGNATION PLACE	FROM TO	REMARKS
1.	Addl. Civil Judge (Junior Div.) Farrukhabad	09/04/2010 20/08/2011	
2.	Civil Judge (Junior Div.) Farrukhabad	20/08/2011 15/04/2013	
3.	Civil Judge (Junior Div.) Chandauli	17/04/2013 17/10/2015	
4.	Chief Judicial Magistrate Ghaziabad	19/10/2015 18/02/2016*	
5.	Judge Small Causes Court Ghaziabad	18/02/2016* 05/07/2018	
6.	Addl. Civil Judge (Sr.Div.)/ACJM. Ghaziabad	05/07/2018 15/04/2019	
7.	Secretary District Legal Services Authority Banda	17/04/2019 01/08/2019	
8.	Civil Judge (Senior Div.) Banda	01/08/2019	

(* : The exact date on which charge taken/handed over is not known. This is the date of notification of transfer.)

(The above information is subject to verification by Services Section.)