

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

**Civil Writ Petition No.17608 of 2015**

**Date of decision: 24.8.2015**

Dr. Balihar Singh

**...Petitioner**

**Versus**

State of Punjab and another

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA**

Present: Mr. Pankaj Jain, Advocate for the petitioner.

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**G.S.SANDHAWALIA, J. (Oral)**

Challenge in the present writ petition is to the order dated 29.9.2014 (Annexure P/1) whereby the Annual Confidential Report(ACR) had been downgraded by the Reviewing Officer. The reasons given by the Reviewing Officer read as under:-

“5. Detailed remarks of Reviewing Officer regarding overall abilities and drawbacks of employee.

The work of employee is upto the mark. However, he is having attitude problem, which needs improvement. In the last year, this employee has examined only 12346 patients, which is almost 10000 less than the target of 22000 patients. Hence, he does not deserve outstanding report.

6. Overall grading - Good. The employee has examined only 12346 patients against the target of 22000 patients.”

The petitioner filed an appeal against the said decision which has been rejected vide order dated 28.4.2015 (Annexure P/3) and the downgrading of ACR from 'outstanding' to 'good' has been upheld.

Counsel for the petitioner vehemently submits that he was not aware of the target and neither any such instructions were conveyed to him.

The said submission cannot be accepted. The petitioner being a Government employee was well aware of the requirement and very valid reasons have been given by the Reviewing Officer for downgrading of the ACR. The same even otherwise is such a subjective assessment which is not liable to be interfered with in exercise of jurisdiction under Article 226 of the Constitution of India.

Accordingly, the present writ petition is dismissed.

**August 24, 2015**

Pka

**(G.S.SANDHAWALIA)**

**Judge**

PRADEEP KUMAR ARORA  
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Punjab and Haryana High Court,  
Chandigarh