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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 5840/2015

K S KATNORIA

..... Petitioner

Represented by: Mr.Govind Jee, Advocate.

versus

DIRECTOR GENERAL, BORDER
SECURITY FORCE & ORS

..... Respondents

Represented by: Ms.Abha Malhotra and
Mr.Gaurang Bindra,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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14.07.2016

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1. The petitioner is simply seeking quashing of two advisory letters dated September 24, 2008 and December 08, 2008, none of which were considered by the Departmental Promotion Committees which met from time to time.

2. The Departmental Promotion Committees had met on March 21, 2012, March 14, 2013, April 03, 2014 and March 20, 2015 for the vacancy years 2012-2013, 2013-2014, 2014-2015 and 2015-2016. The petitioner was declared unfit.

3. The adverse remarks in the ACR for the years 2008-2009 and 2010-2011 impacted the petitioner's assessment for the assessment years

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2012-2013 to 2014-2015. The adverse remarks in the ACR for the year 2010-2011 adversely impacted the petitioner for appraisal for vacancy year 2015-2016.

4. We find from the petition that the petitioner had made representations against the adverse remarks in the ACRs in question which were considered and rejected by the competent authority.

5. There is no challenge to the ACRs as also the orders rejecting the representation against the ACRs. As drafted no relief can ensue to the petitioner for the obvious reason of there being no actionable pleadings.

6. Faced as aforesaid, rather than have the writ petition dismissed on technical grounds learned counsel for the petitioner seeks leave to withdraw the writ petition with right reserved to file a fresh petition laying a challenge to the adverse remarks in the ACRs as also the orders rejecting the petitioner's representation.

7. Granting liberty as prayed for the writ petition is dismissed as withdrawn.

8. No costs.

CM No.23903/2016

Since the writ petition has been dismissed as withdrawn the instant application is dismissed as infructuous.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

JULY 14, 2016

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