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

+ W.P.(C) 1395/2017

DR. LALIT LATTA

..... Petitioner

Through: Mr. Nikhil Singhvi and Ms. Nikita
Pandey, Advs.

versus

NATIONAL INSTITUTE OF LABOUR ECONOMIC
RESEARCH AND DEVELOPMENT & ANR

..... Respondents

Through: Mr. S.K. Das, Adv. for R1.
Mr. Jitesh Vikram Srivastava and
Ms. Kusum, Advs. for R2.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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17.07.2017

The challenge in the writ petition is to the orders dated 1st February, 2017 and 16th August, 2016, whereby the promotion of the petitioner to the post of Joint Director against leave vacancy has been treated as ad-hoc and thereafter the petitioner has been reverted to the post of Deputy Director on the ground that the ACRs for three years, i.e., 2010-11, 2011-12, 2012-13 were only “Good” and not “Very Good” which is the benchmark.

Mr. S.K. Das, learned counsel appearing for the respondent no.1 would justify the impugned action on the ground that even for ad-hoc promotion, an officer needs to meet the benchmark specified for the post in question. He also states that the ACRs of the aforesaid three years have been communicated to the petitioner and the petitioner has made

representation against the same on 25th May, 2017.

Learned counsel for the petitioner states, he intends to make a supplementary representation against the said ACRs. Noting the aforesaid submission with the consent of the Id. Counsels and granting liberty to the petitioner to make a supplementary representation within three weeks from today, the petition is disposed of directing the authority concerned to consider the representation (s) of the petitioner against the three ACRs and pass appropriate orders. If the authority is of the view that the said ACRs needs to be upgraded, follow up action including restoring the petitioner to the post of Joint Director shall be taken. If the authority decides otherwise, petitioner shall be at liberty to challenge the same in accordance with law. The aforesaid exercise shall be completed within five weeks after the submission of the supplementary representation by the petitioner.

The writ petition is disposed of.

V. KAMESWAR RAO, J

JULY 17, 2017/jg