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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS (C) 591/2018**

COURT ON ITS OWN MOTION Petitioner

Through Mr. Ankur Chibber & Mr. Bhanu
Gupta, Advocates
versus

B D DASS

..... Respondent

Through Mr. Vivek Goyal, CGSC with
Mr. B.D.Dass, DIG, CRPF
Mr. Vivek Kumar Singh, Law officer, CRPF

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

ORDER

% **22.10.2018**

1. Pursuant to the order passed by this Court on 9th October, 2018 Mr. B.D.Dass, DIGP, Office of Range Headquarter (HQ), CRPF has filed a an additional affidavit dated 10th October 2018 tendering his unconditional apology for the delay in complying with the order passed by this Court in W.P (C) No. 512/2018 on 6th April, 2018.

2. Mr. Dass had issued advisory letters dated 8th, 10th & 18th May, 2018, 12th June and 4th July, 2018 to the Petitioner while functioning as Inspector (Min) in the Establishment branch of Range HQ, CRPF. In the additional affidavit filed by Mr. Dass states that he has withdrawn all the above advisory letters. Enclosed with his additional affidavit as Annexure R-1 is an order dated 9th October, 2018 issued by him to that effect.

3. Mr. Dass has further stated in his additional affidavit that the transfer order issued to the Petitioner on 26th March, 2018 stood cancelled by the subsequent order dated 17th April, 2018 and the delay was due to ‘unintentional error’.

4. Mr. Dass is present in Court. In response to an apprehension expressed by Mr. Chibber, learned counsel for the Petitioner that Mr. Dass as a Reviewing Officer might pass adverse remarks in the Petitioner’s Annual Confidential Rolls (ACR) for the year 2016-17 for which it is due to be recorded, Mr. Dass clarifies that as far as the Petitioner is concerned, the final reviewing authority is an officer subordinate to him i.e. Second-in-Command, CRPF. The said statement is taken on record. In other words, it is clearly understood that as far as the Petitioner’s ACR for the year in question is concerned, Mr. Dass will have nothing to do with it. The Court would also like to impress upon the officers of the CRPF involved in the assessment of the Petitioner’s performance for year in question, that they should give their views uninfluenced by what has transpired in the writ petition and the present contempt petition.

5. Accepting the apology of Mr. Dass, the contempt petition is disposed of in the above terms.

S.MURALIDHAR, J.

SANJEEV NARULA, J.

OCTOBER 22, 2018

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