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

+ W.P.(C) 13293/2018

SARABJEET SINGH

..... Petitioner

Through

Mr. Abhaya K. Behera and Mr.Sachin Chauhan, Advs.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through

Mr. Sushil Kumar Pandey and
Ms.Neha Sharma, Advs. for UOI.
Mr. Kirtiman Singh, CGSC with
Mr.Prateek Dhanda, Mr. Waize Ali
Noor and Mr. S.K. Pandey, Advs.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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18.12.2018

1. The petitioner has preferred the present writ petition to assail the order dated 16.07.2018 passed by Central Administrative Tribunal (CAT) in OA no. 763/2017.
2. The petitioner had preferred the said OA being aggrieved by the grading awarded to him in respect of his Annual Performance Appraisal Report (APAR) for the financial year 2011-12. Though he had been graded as "Outstanding" by the Reporting Authority, the Reviewing Authority had downgraded his grading as "Good".
3. On the last date, after hearing counsel for the parties at some length, we had put to Mr.Kirtiman Singh, Central Govt. Standing Counsel whether a fresh and independent look could be had at the petitioner's said grading for

the financial year 2011-12. Mr. Kirtiman Singh, on instructions, states that the respondents are willing to have a fresh and independent look at the said grading without being influenced by the previous grading in the light of the petitioner's representation dated 17.10.2012.

4. With a view to enable the respondents to have a fresh and independent look, we set aside the impugned order dated 16.07.2018 passed by the Tribunal as well as the order dated 16.04.2014 passed by the respondents, to obviate any technical objection at the time of considering the petitioner's representation independently and afresh. We make it clear that we have not gone into the merits of the impugned order in the aforesaid light.

5. Let a fresh and independent consideration be undergone within next eight weeks and the result communicated to the petitioner. It shall be open to the petitioner to agitate his grievance, if any, surviving thereafter.

6. The petition stands disposed of.

VIPIN SANGHI, J

A. K. CHAWLA, J

DECEMBER 18, 2018

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