

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

CWP No.35944 of 2019

Date of Decision : 16.12.2019.

Anil Kumar

...Petitioner

Versus

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S.Walia

Present: Mr. Vinod Bhardwaj, Advocate for the petitioner.

B.S.WALIA, J. (Oral)

1. Prayer in the writ petition is for the issuance of a writ of Certiorari to remove the adverse entry recorded by respondent No.5 i.e. the then D.E.O (Accepting Authority) in A.P.A.R. (Annual Performance Appraisal Report) of the petitioner for the year 2015-2016, vide annexure P/1 dated 10.10.2016, by reducing grade A⁺ (outstanding) to 'B' (average) without any prior information and notice and without following the principles of natural justice and further for the issuance of a writ of Mandamus directing the respondents to maintain the score awarded by the Initiating and Reviewing Authority etc.

2. Learned counsel contends that the petitioner has submitted representation Annexure P/8 dated 29.08.2019, in respect of the grievance which is the subject matter of the writ petition but the same has not been decided till date and that in the circumstances the

petitioner would be satisfied if the writ petition is disposed of at this stage by directing respondent No.2 to consider and decide the claim as made in representation Annexure P/8 dated 29.08.2019 in accordance with law in a time bound manner.

3. Notice of motion to respondent Nos.1 to 4, 6 and 7 only.

Mr. Harish Rathee, learned Sr. DAG, Haryana, accepts notice on behalf of respondent Nos.1 to 4, 6 and 7 and states that he has no objection to the innocuous prayer made by learned counsel for the petitioner.

4. Without commenting on the merits of the claim or entitlement of the petitioner to the relief claimed, the writ petition is disposed of by directing respondent No.2 to consider and decide the claim as made in representation Annexure P/8 dated 29.08.2019, after taking into account all aspects of the matter, within three months from the date of receipt of certified copy of this order.

(B.S.WALIA)
JUDGE

16.12.2019.

rajesh.k.khurana

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No