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

+ W.P.(C) 6232/2019

SANT RAM SHARMA Petitioner

Through: Mr. Ravi Kant Jain, Adv.

versus

GOVT OF NCT OF DELHI & ORS Respondent

Through: Mrs. Avnish Ahlawat, St. Counsel,
GNCTD (Services) with Mr. N.K.
Singh and Ms. Palak Rohmetra, Advs.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

29.05.2019

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CM APPL. 26733/2019

Exemption allowed, subject to all just exceptions. The application stands disposed of.

W.P.(C) 6232/2019

The petitioner assails the order dated 17.10.2018 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (the Tribunal) in O.A. No. 2068/2014. The said Original Application of the petitioner, wherein he had assailed his below-benchmark grading i.e. Average has been rejected.

The ACR in question relates to the year 2009-2010. On 30.05.2011, the petitioner was issued a communication, communicating to him the below – benchmark grading for the period 2009-2010.

The petitioner submitted his representation on 17.06.2011 followed by a reminder dated 26.07.2011. The said representation was rejected on

31.07.2012. The petitioner, thereafter, submitted his memorial dated 23.01.2013, which too, was rejected on 07.03.2013.

The Tribunal has set out extracts from these communications of the respondent in the impugned order.

The petitioner argued before the Tribunal and has argued before us that the said below-benchmark grading has been given to him on account of an alleged financial irregularity found in the working of the petitioner during the said period. However, no charge memo was issued to him ever and yet he has been condemned on that account. The Tribunal has not found merit in the said submission of the petitioner.

We have perused the ACR in question, which is placed on record. The same does not disclose that the petitioner has been graded as Average on account of any alleged financial irregularity. We find that the Reporting Officer has given specific remarks in relation to the working and efficiency of the petitioner.

Pertinently, the grading/ remarks given to the petitioner have been assessed by the Reviewing Authority as well as the Accepting Authority and the petitioner's representation as well as the memorial has been rejected.

In these circumstances, in judicial review, it is not for this court to re-assess the petitioner's working during the relevant period.

We find no merit in this petition.

Dismissed.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

MAY 29, 2019/*N.Khanna*