

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

210

CWP-17444-2018

Date of decision : 21.02.2022

A.K.Malhotra

... Petitioner

Versus

Chandigarh Industrial and Tourism Development Corporation Ltd. and others

... Respondents

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IN VIRTUAL COURT

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CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Kshitij Sharma, Advocate
for the petitioner.

Ms. Madhu Dayal, Advocate
for the respondent-CITCO.

RAJBIR SEHRAWAT, J. (ORAL)

Instant petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari to quash the APAR of the year 2013-14 (Annexure P-10) in so far as the grading that has been downgraded from 'Outstanding' to 'Below Average' without recording any numerical grading and against the Policy dated 17.09.2013 and relevant Rules on the subject as well as settled principles of law on the matter related to recording of APAR and alternate prayers raised in the writ petition.

The reason giving rise to the grievance of the petitioner was that his APAR for the year 2013-14, which was graded as 'Outstanding' by the reporting authority was wrongly downgraded by the Reviewing Authority. In the first instance, the accepting authority had only conveyed acceptance,

without specifying therein as to with which out of the two authorities it was agreeing. At the relevant time, this APAR could have relevance qua grant of extension in service to the petitioner. However subsequently, the petitioner stands superannuated from the service of the respondent-Corporation. Thereafter, the Accepting Authority has clarified qua the acceptance with a remark that it was agreeing with the report of 'Outstanding' and not with the downgraded ranking. This restores the functional honour of the petitioner. At this stage, the counsel for the petitioner has submitted that petitioner is no more interested in getting any benefit on the basis of this APAR, qua his service aspects.

In view of the above, the present petition has been rendered infructuous. The same stands disposed of accordingly.

All the pending applications are also disposed of accordingly.

(RAJBIR SEHRAWAT)
JUDGE

21.02.2022
anju

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