

05-01-2024
ct no. 13
Sl. 30
sp

WPA 7364 of 2023
Rajeev Ranjan Kumar Singh
-Versus-
Union of India & Ors.

Mr. Abhirup Chakraborty,
Mr. Tuhin Ganguly

...for the petitioner

Mr. Amitabha Nayak

...for the respondents

1. The petitioner is aggrieved by a minor down gradation in his Performance Appraisal Report for the year 2020.
2. It is submitted that the reviewing authority and the first authority had concurrently given “very good” against his performance against his Annual Performance Appraisal Report (APAR). The accepting authority, however, considered certain allegations against the petitioner of groupism and favoritism towards persons belonging to a particular community and reduced the final grading from “Very Good” to “Good”.
3. It is now well-settled that a negative observation in a Performance Appraisal Report is what is required to be furnished to an employee. This is to enable him to make a representation and/or give him an

opportunity to explain the factor leading to such negative appraisal.

4. There is very limited scope for judicial interference with a Performance Appraisal Report by an accepting authority, which is marked as “Good”.
5. There are some reasons furnished by the accepting authority for reducing the petitioner’s appraisal from “Very Good” to “Good”.
6. An element of subjectivity in a Performance Appraisal Report at the higher levels of employment cannot be ruled out.
7. In those circumstances, having regard to the report filed by the respondents and the exception taken by the petitioner and the allegations in the writ petition, this Court is of the view that there is no interference called for under Article 226 of the Constitution of India. Hence, WPA 7364 of 2023 shall stand dismissed.
8. There shall be no order as to costs.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)