



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

121

CWP-27578-2023

Date of decision: 09.05.2024

KUMAR SANJEESH KHANGWAL

...PETITIONER

Vs.

UNION OF INDIA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Sunil K. Rana, Advocate and
Dr. Deepak Jindal, Advocate
for the petitioner.

Mr. Himanshu Malik, Senior Panel Counsel
for the respondent-Union of India.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of his APARs (Annual Performance Appraisal Reports) for 2020-2021 and 2021-2022 dated 25.11.2021 (Annexure P-5) and 29.11.2021 (Annexure P-6) respectively.

2. On 22.04.2024, the following order was passed:

“Dr. Deepak Jindal, Advocate submits that Reporting Officer and Technical Reporting Officer who had prepared petitioner’s ACR is one and same person. A Reporting Officer cannot act as Technical Reporting Officer.

Mr. Himanshu Malik, Senior Panel Counsel seeks short accommodation to ascertain whether Reporting Officer and Technical Reporting Officer can be one and same person.

Adjourned to 09.05.2024.”



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3. Mr. Himanshu Malik, Senior Panel Counsel, during the course of hearing produced communication dated 25.04.2024 disclosing that as per APAR Procedure and Instruction-2012, Reporting Officer and Technical Reporting Officer for preparation of ACR/APAR in respect of CMO (SG)/CMO/SMO/MO will be DIG(Med) in the 50 bedded Composite Hospital.
4. In the case in hand, DIG (Med) has acted as Technical as well as Administrative Reporting Officer and ADG (Med) as Reviewing Authority.
5. The respondent has prepared APAR of petitioner, as per applicable procedure and instructions.
6. It is a settled proposition of law that High Court should restrain from invoking its writ jurisdiction in Annual Confidential Report matters.
7. In the case in hand, this Court does not find any ground to invoke its extraordinary writ jurisdiction, thus, the petition is hereby dismissed.

09.05.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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