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

+ **W.P.(C) 3705/2023**

ATUL KUMAR GARG

..... Petitioner

Through: Mr. Abhay Pratap Singh and Mr.
Sheezan Hazimi, Advocates.

versus

HIGH COURT OF DELHI, THROUGH REGISTRAR GENERAL

..... Respondent

Through: Mr Gautam Narayan, Ms Asmita
Singh, Mr Harshit Goel, Mr Sujay
Jain and Mr K.V. Vibu Prasad,
Advocates.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

13.03.2024

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[Physical Hearing/Hybrid Hearing (as per request)]

1. On the previous date, i.e., 13.02.2024, after hearing counsel for the parties, we had etched out the contours of the case. For convenience, the relevant part of the order is set out hereinafter:

“2. The record shows that for the past three dates of hearing, the petitioner has sought accommodation.

3. Although the request for accommodation is not opposed by Mr Gautam Narayan, learned counsel, who appears on behalf of the respondent i.e., Delhi High Court, he points out that the petitioner does not fulfill the eligibility criteria for grant of Super Time Scale.

4. To be noted, the petitioner has claimed Super Time Scale from 2019 onwards.

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5. Mr Narayan points out that the eligibility criteria that the petitioner had to meet in the preceding five years is three (03) Bs+ and two (02) As.

6. We may note that one of the directions that the petitioner seeks from this court is to upgrade his ACR Grades for 2018 and thereafter. The gradings that the petitioner, admittedly, obtained between 2015 to 2021 are as noted hereafter:

Sl.No.	Name	2015	2016	2017	2018	2019	2020	2021
1.	Mr Atul Kumar Garg	B+	B+	A	B+	B	B+	Yet to be recorded

7. Accordingly, at the request of counsel for the petitioner, list the matter on 13.03.2024.

8. Petitioner's counsel will address the court on this aspect of the matter, on the next date of hearing.

9. It is made clear that no further accommodation would be granted. In case counsel for the petitioner is not available, an alternative arrangement will be made.”

2. Counsel for the petitioner says that the petitioner is amenable to make a representation to the concerned Committee for grant of Super Time Scale.

2.1 The only concern that the counsel for the petitioner is whether the eligibility criteria for the grant of Super Time Scale, as indicated above, would hold.

3. To be noted, as is obvious from the extract of the order dated 13.02.2024, Mr Gautam Narayan, learned counsel, who appears on behalf of the respondent, did make a statement concerning the eligibility criteria.

3.1 Mr Narayan reiterates that the eligibility criterion is what is stated in paragraph 5 of the order dated 13.02.2024. Mr Narayan contends that this is based on the extant rules.

4. The statement of Mr Narayan is taken on record.



5. The petition is disposed of with the following directions:

- (i) The petitioner will have liberty to make a representation within the next two (2) weeks.
- (ii) In case representation is made, the concerned Committee is requested to dispose of the same within three (3) months from the date of receipt of the representation.
- (iii) In the event the petitioner is aggrieved by the outcome concerning his representation, he will have liberty to take recourse to an appropriate remedy, *albeit*, as per law.

6. Parties will act based on the digitally signed copy of the order.

RAJIV SHAKDHER, J

AMIT BANSAL, J

MARCH 13, 2024

at

[Click here to check corrigendum, if any](#)