



\$~10

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5597/2022**
BHAU SHAHEB KISHAN NAGARE

.....Petitioner

Through: Mr. Alim Anvar and Mr. Nishe Rajen
Shonker, Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Abha Malhotra, SCGC with Ms.
Amrita Sony, Adv.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER
06.09.2024

%

1. By way of the present petition under Article 226 of the Constitution of India, the petitioner, who is presently working as a Constable (General Duty) in the Central Industrial Security Force (CISF), has approached this Court assailing the grading of 'average' endorsed in his Annual Performance Assessment Report (APAR) for the year 2018.
2. At the very outset, learned counsel for the petitioner submits that even though his earlier representation already stands rejected by the Senior Commandant, he may be granted an opportunity to approach the Director General (DG), CISF by way of a representation, who may be directed to consider the same compassionately.
3. In response, learned counsel for the respondents submits that there is no provision under the CISF Rules, 2001 for a second representation and



therefore, prays that the petitioner's prayer for permission to file a second representation be rejected.

4. Having considered the submissions of learned counsel for the parties on the aforesaid aspect, we are of the view that in the peculiar facts of the present case and taking into account the good service record of the petitioner, it would be in the interest of justice to grant him an opportunity to make a second/another representation before the Director General. We, accordingly, dispose of the writ petition by granting the petitioner four weeks' time to make a representation to the DG, CISF. Further, we direct the DG, CISF to decide the said representation within twelve weeks from the date of receipt thereof.

5. Needless to say, since we have not expressed any opinion on the merits of the petition, in case, the petitioner is aggrieved by any order passed by the DG, it will be open for him to seek legal recourse as permissible in law.

REKHA PALLI, J

SHALINDER KAUR, J

SEPTEMBER 6, 2024/ss