



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

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CWP-224-2025

Date of decision: 15.01.2025

NARESH KUMAR

....PETITIONER

Vs.

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Sunil K. Nehra, Advocate,
Mr. Rahil Mahajan, Advocate and
Mr. Arjun Dosanj, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of adverse remarks recorded in ACRs for the period from 01.04.2020 to 31.03.2021, 01.04.2021 to 25.10.2021 and 21.04.2022 to 28.07.2022 (Annexures P-5, P-7 and P-14).
2. The petitioner claims that he filed representation against adverse entries made in his 'Annual Confidential Reports' before the Higher Authority. With respect to period from April' 2020 to March' 2021 and April' 2021 to October' 2021, the Authority i.e. ADGP who approved ACR has decided his representation and the representation against 3rd ACR is still pending before DGP.
3. Notice of motion.



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4. Ms. Rajni Gupta, Addl. A.G., Haryana who on advance notice is present in Court, accepts notice on behalf of respondent-State and waives service.

5. With the consent of both sides, the matter is taken up for final disposal.

6. Ms. Rajni Gupta, Addl. A.G., Haryana expressed her inability to controvert the fact that Superintendent of Police was reporting agency and ADGP approved petitioner's ACR.

7. The representation against adverse remarks recorded by authorities can be considered by Higher Authorities and not by the same authority which acted either as a reporting authority or approving authority.

8. Faced with this, learned State counsel submits that an officer higher in rank than ADGP would consider representations of the petitioner and pass an appropriate order within 3 months from today.

9. Counsel for petitioner agrees with the aforesaid arrangement.

10. In the wake of statement of both sides, the present petition stands disposed of.

15.01.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No