



**210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-11542-2021

Date of Decision: 04.07.2025

Mahender Singh

...Petitioner

Vs.

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Narender Singh, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

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 in Annual Confidential Report (for short 'ACR') for the period from 15.06.2015 to 31.03.2016 and 01.04.2016 to 22.04.2016.

2. Mr. Narender Singh, Advocate has put in appearance on behalf of the petitioner and filed his power of attorney.

3. The petitioner joined Haryana Police Force as Constable. He during the relevant period was holding post of Head Constable. The Reporting Authority in his ACR for the period from 15.06.2015 to 31.03.2016 and 01.04.2016 to 22.04.2016 declared him undisciplined and found his integrity doubtful. He preferred representation before Higher Authorities which came to be rejected. The petitioner claims that adverse entry was recorded in his ACR because department initiated proceedings

against him alleging demand of bribe from truck drivers who are entering or passing through State of Haryana to State of Uttar Pradesh. The disciplinary authority awarded him punishment of forfeiture of three increments. He unsuccessfully preferred appeal before Appellate Authority, however, Revisionary Authority substituted aforesaid punishment by censure. As punishment awarded by authorities has been reduced to censure, ACR needs to be improved and adverse findings deserve to be set aside.

4. I have heard learned counsel for the parties and perused the record.

5. Initiation of departmental proceedings is independent from recording of ACR. The Reporting Authority records ACR on the basis of information available with it. It is subjective satisfaction of the Reporting Authority. Dropping of charges in the departmental proceedings or modification of punishment does not entail setting aside of adverse entries made in the ACR. It is settled proposition of law that Courts are not supposed to interfere with subjective satisfaction recorded by Reporting Authority in the ACR. The competent authority as per its wisdom and available record, recorded adverse remarks in the ACR. The petitioner was having opportunity to make representation which he availed. The competent authority considered his representation and did not find substance. The representation was rejected.

6. Scope of interference in ACR matters is very limited. An authority is best judge of subordinate's strength and weaknesses. In the absence of material irregularity, the Court cannot substitute opinion of the

authorities.

7. In the wake of above discussion and findings, this Court is of the considered opinion that the present petition being bereft of merit deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

04.07.2025
Prince Chawla

Whether Speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No