

2025:PHHC:077670-DB



CWP-17654-2025 (O&M)

Date of Decision: 01.07.2025

Union of India and others

..Petitioners

Vs.

Jaspal Singh and another

..Respondents

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Ms. Shalini Atri, Sr. Panel Counsel for the petitioners.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The challenge is to the order passed by the learned Armed Forces Tribunal dated 23.09.2022.

2. Apart from the writ petition being filed in 2025 challenging the order passed in 2022, without there being any reason coming forward, we have also examined the matter on merits and find that the order passed by the AFT does not warrant any interference.

3. It is an admitted position that the '*high average remarks*' recorded in the ACR for the years 1990-91, 1992-93 and 1993-94, were never conveyed and un-communicated ACRs could not have been looked into for the purpose of denying promotion as has been held way back by the Hon'ble Supreme Court in **Gurdial Singh Fijji v. State of Punjab and others 1979 SCC (2) 368, UP Jal Nigam vs. Prabhat Chandra Jain 1996 (2) SCC 3630 and Daljit Singh Grewal vs. State of Punjab and others 2016 (2) Apex Court Judgments 170 (SC).**

4. In view thereof, we do not find any reason warranting interference with the order passed by the AFT. The writ petition is accordingly dismissed. The order of the AFT dated 23.09.2022, shall now be implemented within a period of three months from today.
5. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

01.07.2025
rajesh

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| 1. Whether speaking/reasoned? | : | Yes/No |
| 2. Whether reportable? | : | Yes/No |