



2025:DHC:11224-DB



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

Date of decision: 11.12.2025

+ W.P.(C) 1852/2020

VINOD KUMAR

.....Petitioner

Through: Mr.Sunil Dalal, Sr. Adv. with
Ms.Garima Sachdeva, Mr.Rajiv
Singh, Mr.Ankit Rana,
Ms.Shipra Bali & Mr.Bharat
Malhotra, Advs.

versus

GOVT. OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mrs.Avnish Ahlawat, SC for
GNCTD (Services) with
Mr.Nitesh Kumar Singh,
Ms.Aliza Alam and
Mr.Mohnish Sehrawat, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed, challenging the Order dated 21.01.2020 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. 3302/2019, titled *Vinod Kumar v. Govt. of NCT of Delhi & Anr.*, dismissing the O.A. filed by the petitioner herein.



2. The petitioner had filed the above O.A., *inter alia*, challenging therein the order dated 31.10.2019, by which he had been visited with compulsory retirement from service even before attaining the age of 50 years, and the subsequent order dated 04.11.2019, which was issued as a corrigendum stating that the compulsory retirement would take effect upon his attaining the age of 50 years.

3. During the pendency of the above O.A., the petitioner's representation against the said orders was also rejected by an order dated 09.08.2021.

Submissions of the learned senior counsel for the petitioner:

4. The learned senior counsel for the petitioner submits that the learned Tribunal failed to appreciate that the entire basis for the Impugned Orders, compulsorily retiring the petitioner, was that the petitioner had been placed in an '*Agreed List*' of the CBI regarding doubtful integrity since 2015 on the basis of a criminal case registered by the CBI against him, being FIR No. RC-DAI-2013-A-0027 dated 08.10.2013. He submits that by an order dated 26.03.2018, passed by the learned Special Judge (PC Act), CBI Court-01, Central District, Tis Hazari Courts, Delhi, the learned Judge had in fact refused to even take cognizance of the charge-sheet filed in the said case against the petitioner.

5. He further submits that the respondents had asserted that the ACRs/APARs of the petitioner were available only till 2011-12 and were not available for the period 2012-2013 to 2017-2018 and, therefore, the performance of the petitioner could not be assessed. He



submits that the petitioner had duly submitted his self-appraisal for the concerned years and that, only because the respondents, for their own reasons, did not write the ACRs/APARs of the petitioner, the petitioner cannot be penalized.

6. He submits that, till the assessment year 2011-2012, the APAR of the petitioner was either 'very good' or 'good,' and his integrity was reported to be beyond doubt.

7. He submits that in spite of these facts being brought to the notice of the Reviewing Authority, the Reviewing Authority, in a mechanical manner, rejected the representation of the petitioner.

8. He submits that in another case, namely, of Shri Hom Karan, in spite of charges being framed against the said officer under Section 409 IPC read with Section 13(1)(c) of the Prevention of Corruption Act, 1988, the order compulsorily retiring him was advised to be withdrawn and was eventually withdrawn by an order dated 09.08.2021. He submits that the learned Tribunal, however, failed to appreciate the above submissions and, instead, mechanically rejected the O.A. filed by the petitioner.

Submissions of the learned counsel for the respondents:

9. On the other hand, the learned counsel for the respondents submits that the scope of the judicial review of an order compulsorily retiring an officer, not being a punishment or a penalty, is very limited.

10. He submits that the respondents had considered the entire service record of the petitioner, including the FIR registered by the



CBI against him on allegations of causing pecuniary loss to the Government while he was posted in the Department of Trade and Taxes. It was also noted that the petitioner had been placed in the ‘*Agreed List*’ maintained by the Department of Vigilance for the year 2015, and in the ‘*doubtful integrity*’ list for the years 2017 and 2018. He was also found wanting in performing his duties on several occasions, and involved in misconducts amounting to doubtful integrity. He submits that the order compulsorily retiring the petitioner was, therefore, passed on a holistic consideration of his service record, and the same does not deserve to be interfered with by the learned Tribunal or by this Court.

Analysis and findings:

11. We have considered the submissions made by the learned counsels for the parties.

12. At the outset, we would note the limited jurisdiction that we have while judicially reviewing the decision of an employer to compulsorily retire an officer under Fundamental Rule 56(j). The principles applicable to the same have recently been considered by a Coordinate Bench of this Court in ***Ajay Kumar Sharma v. Commissioner, South Delhi Municipal Corporation and Anr.***, 2025 SCC OnLine Del 3864, and were summarized as under:—

“22.5 The Takeaway

From the above judgments, the following principles emerge, in the matter of compulsory retirement, where it is not awarded as a punishment:

- (i) *The scope of judicial review, in matters of compulsory retirement, is fairly limited.*
- (ii) *Compulsory retirement involves no penal*



consequences.

- (iii) At the same time, if unlimited discretion is permitted to the administration in the matter of passing orders of compulsory retirement, it would be the surest menace to public interest and must fail for unreasonable, arbitrariness and disguised dismissal.*
- (iv) The exercise of power to compulsory retire an officer must be bona fide and to promote public interest.*
- (v) It is permissible to lift the veil in order to ascertain whether an order of compulsory retirement is based on any misconduct of the government servant and whether the order has been made bona fide without any oblique and extraneous purpose.*
- (vi) A bona fide order of compulsory retirement can be challenged only on the ground that the requisite opinion has not been formed, the decision is based on collateral factors or is arbitrary.*
- (vii) The court cannot sit in appeal over an order of compulsory retirement, but can interfere if it is satisfied that the order is passed mala fide, or is based on no evidence, or is arbitrary, in the sense that no reasonable person would form the requisite opinion in the given material.*
- (viii) The object of compulsory retirement, where it is not awarded as a punishment, aims at weeding out dead wood to maintain efficiency and initiative in the service, and dispensing with the services of those whose integrity is doubtful so as to preserve purity in the administration.*
- (ix) If the order of compulsory retirement casts a stigma on the government servant or contains any statement casting aspersion on his conduct or character, it would be treated as an order of punishment, attracting Article 311(2) of the Constitution of India. If, however, the order of compulsory retirement refers only to an assessment of his work and*



does not cast an aspersion on his conduct or character, the order of compulsory retirement cannot be treated as an order of punishment. The test would be the manner in which a reasonable person would read or understand the order of compulsory retirement.

- (x) FR 56(j) does not require any opportunity to show cause to be provided before an order of compulsory retirement is passed.*
- (xi) Before passing an order of compulsory retirement, the entire service record of the officer has to be taken into account.*
- (xii) The gradings in the ACRs of the officer are relevant. The performance of the officer in later years, including the gradings granted in later years, would be of greater relevance than those in earlier years. Where the ACRs continuously record the integrity of the officer as being "beyond doubt", or grade him "outstanding" or "very good", it is an important factor in favour of the officer, and would, in a given case, vitiate the order of compulsory retirement, unless it is shown that, between the last such entry and the passing of the order of compulsory retirement, there was sudden and unexplained deterioration in the performance of the officer.*
- (xiii) Uncommunicated adverse entries in the ACRs of the officer can also be taken into account before passing an order of compulsory retirement.*
- (xiv) Grant of promotion to an officer despite adverse entries in his confidential record is a factor operating in favour of the officer. Promotion to a higher post notwithstanding adverse remarks result in the adverse remarks losing their sting.*
- (xv) The fact that the officer was allowed to cross the efficiency bar, or was granted promotion after the events which formed the basis of the order of compulsory retirement, is also a relevant*



consideration.

- (xvi) The subjective satisfaction of the authority passing an order of compulsory retirement must be based on valid material.*
- (xvii) Compulsory retirement is not required to be by a speaking order.*
- (xviii) The principle of audi alteram partem has no application in the case of compulsory retirement.”*

13. Applying the above principles to the facts of the present case, it is found that the Reviewing Committee has based its decision on the records collected by the Services Department, which stated as under:—

- “i) The name of the officer figures in the Agreed list maintained by Dte. Of Vigilance for the year 2015 and Doubtful Integrity list for the years 2017 & 2018.*
- ii) He is one of the accused in FIR No. RC-DAI-2013-A-0027 dated 08.10.2013 registered by CBI, ACB, New Delhi after joint surprise check at Enforcement-II Branch, Trade & Taxes Department, in which a number of irregularities were detected. After reassessment of Tax and Penalty of impounded goods earlier assessed by Sh. Vinod Kumar, the then VATO, revenue loss of Rs. 1,70,723/- was found.*
- iii) The officer was wanting in performing his duties on many occasions and involved in misconducts amounting to doubtful integrity.*
- iv) The prosecution sanction has been issued vide order dated 23.07.2018.*
- v) No ACR/APAR of the officer is available for the period 2012-2013 to 2017-2018 and, therefore, the performance of the officer for last six years could not be assessed.”*



14. The Committee thereafter, recorded as under:—

“The Committee accordingly observed that the officer in gross misuse of his official position, caused loss of revenue to the Government, and, therefore, his work and performance during his his career cannot be considered to be beneficial to public.

Based on these observations, the Committee recommended that Sh. Vinod Kumar, Ad-hoc DANICS, may be compulsory retired from government services as his overall conduct is not found conducive for his continuation in service in larger public interest.”

15. From the above, it would be evident that the Committee, after analysing the records, primarily based its decision on the fact that the petitioner is involved in a criminal case with the allegation of causing pecuniary loss to the Government revenue. The said case that is referred to is FIR No. RC-DAI-2013-A-0027. The Committee, however, failed to appreciate that the Competent Court, by its order dated 26.03.2018, that is, before consideration of the case of the petitioner by the Reviewing Committee, had already refused to even take cognizance of the said case against the petitioner. Although the same may later have been appealed by the CBI, we are informed that even a notice on this appeal has not been issued by the High Court.

16. Be that as it may, the fact that the concerned Court, at that time of consideration of the case of the petitioner by the Reviewing Committee, had refused to even take cognizance of the said criminal case against the petitioner, was an important factor to be considered by the Reviewing Committee. The same has clearly escaped its attention, thereby vitiating its entire decision.



17. Apart from that, the Reviewing Committee also observed that the ACRs/APARs of the petitioner for the period 2012-13 to 2017-18 were not available. The Reviewing Committee should have also inquired into the reasons because of which these were not available. We note this more because the learned senior counsel for the petitioner has asserted that as far as the petitioner is concerned, the petitioner had submitted his self-appraisal in time, and any default on the part of the respondents cannot prejudice the petitioner.

18. As far as the APAR for the period up to 2011-12 is concerned, we note the summary, which is evident from the records made available by the respondents to us, as under:—

NAME	DESIGNATION	PERIOD FOR WHICH APAR IS SUBMITTED
DR. S. S. K. SINGH	MD	2011-12
DR. S. S. K. SINGH	MD	2012-13
DR. S. S. K. SINGH	MD	2013-14
DR. S. S. K. SINGH	MD	2014-15
DR. S. S. K. SINGH	MD	2015-16
DR. S. S. K. SINGH	MD	2016-17
DR. S. S. K. SINGH	MD	2017-18
DR. S. S. K. SINGH	MD	2018-19
DR. S. S. K. SINGH	MD	2019-20
DR. S. S. K. SINGH	MD	2020-21
DR. S. S. K. SINGH	MD	2021-22
DR. S. S. K. SINGH	MD	2022-23
DR. S. S. K. SINGH	MD	2023-24
DR. S. S. K. SINGH	MD	2024-25
DR. S. S. K. SINGH	MD	2025-26
DR. S. S. K. SINGH	MD	2026-27
DR. S. S. K. SINGH	MD	2027-28
DR. S. S. K. SINGH	MD	2028-29
DR. S. S. K. SINGH	MD	2029-30
DR. S. S. K. SINGH	MD	2030-31
DR. S. S. K. SINGH	MD	2031-32
DR. S. S. K. SINGH	MD	2032-33
DR. S. S. K. SINGH	MD	2033-34
DR. S. S. K. SINGH	MD	2034-35
DR. S. S. K. SINGH	MD	2035-36
DR. S. S. K. SINGH	MD	2036-37
DR. S. S. K. SINGH	MD	2037-38
DR. S. S. K. SINGH	MD	2038-39
DR. S. S. K. SINGH	MD	2039-40
DR. S. S. K. SINGH	MD	2040-41
DR. S. S. K. SINGH	MD	2041-42
DR. S. S. K. SINGH	MD	2042-43
DR. S. S. K. SINGH	MD	2043-44
DR. S. S. K. SINGH	MD	2044-45
DR. S. S. K. SINGH	MD	2045-46
DR. S. S. K. SINGH	MD	2046-47
DR. S. S. K. SINGH	MD	2047-48
DR. S. S. K. SINGH	MD	2048-49
DR. S. S. K. SINGH	MD	2049-50
DR. S. S. K. SINGH	MD	2050-51
DR. S. S. K. SINGH	MD	2051-52
DR. S. S. K. SINGH	MD	2052-53
DR. S. S. K. SINGH	MD	2053-54
DR. S. S. K. SINGH	MD	2054-55
DR. S. S. K. SINGH	MD	2055-56
DR. S. S. K. SINGH	MD	2056-57
DR. S. S. K. SINGH	MD	2057-58
DR. S. S. K. SINGH	MD	2058-59
DR. S. S. K. SINGH	MD	2059-60
DR. S. S. K. SINGH	MD	2060-61
DR. S. S. K. SINGH	MD	2061-62
DR. S. S. K. SINGH	MD	2062-63
DR. S. S. K. SINGH	MD	2063-64
DR. S. S. K. SINGH	MD	2064-65
DR. S. S. K. SINGH	MD	2065-66
DR. S. S. K. SINGH	MD	2066-67
DR. S. S. K. SINGH	MD	2067-68
DR. S. S. K. SINGH	MD	2068-69
DR. S. S. K. SINGH	MD	2069-70
DR. S. S. K. SINGH	MD	2070-71
DR. S. S. K. SINGH	MD	2071-72
DR. S. S. K. SINGH	MD	2072-73
DR. S. S. K. SINGH	MD	2073-74
DR. S. S. K. SINGH	MD	2074-75
DR. S. S. K. SINGH	MD	2075-76
DR. S. S. K. SINGH	MD	2076-77
DR. S. S. K. SINGH	MD	2077-78
DR. S. S. K. SINGH	MD	2078-79
DR. S. S. K. SINGH	MD	2079-80
DR. S. S. K. SINGH	MD	2080-81
DR. S. S. K. SINGH	MD	2081-82
DR. S. S. K. SINGH	MD	2082-83
DR. S. S. K. SINGH	MD	2083-84
DR. S. S. K. SINGH	MD	2084-85
DR. S. S. K. SINGH	MD	2085-86
DR. S. S. K. SINGH	MD	2086-87
DR. S. S. K. SINGH	MD	2087-88
DR. S. S. K. SINGH	MD	2088-89
DR. S. S. K. SINGH	MD	2089-90
DR. S. S. K. SINGH	MD	2090-91
DR. S. S. K. SINGH	MD	2091-92
DR. S. S. K. SINGH	MD	2092-93
DR. S. S. K. SINGH	MD	2093-94
DR. S. S. K. SINGH	MD	2094-95
DR. S. S. K. SINGH	MD	2095-96
DR. S. S. K. SINGH	MD	2096-97
DR. S. S. K. SINGH	MD	2097-98
DR. S. S. K. SINGH	MD	2098-99
DR. S. S. K. SINGH	MD	2099-00
DR. S. S. K. SINGH	MD	2100-01
DR. S. S. K. SINGH	MD	2101-02
DR. S. S. K. SINGH	MD	2102-03
DR. S. S. K. SINGH	MD	2103-04
DR. S. S. K. SINGH	MD	2104-05
DR. S. S. K. SINGH	MD	2105-06
DR. S. S. K. SINGH	MD	2106-07
DR. S. S. K. SINGH	MD	2107-08
DR. S. S. K. SINGH	MD	2108-09
DR. S. S. K. SINGH	MD	2109-10
DR. S. S. K. SINGH	MD	2110-11
DR. S. S. K. SINGH	MD	2111-12
DR. S. S. K. SINGH	MD	2112-13
DR. S. S. K. SINGH	MD	2113-14
DR. S. S. K. SINGH	MD	2114-15
DR. S. S. K. SINGH	MD	2115-16
DR. S. S. K. SINGH	MD	2116-17
DR. S. S. K. SINGH	MD	2117-18
DR. S. S. K. SINGH	MD	2118-19
DR. S. S. K. SINGH	MD	2119-20
DR. S. S. K. SINGH	MD	2120-21
DR. S. S. K. SINGH	MD	2121-22
DR. S. S. K. SINGH	MD	2122-23
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DR. S. S. K. SINGH	MD	2129-30
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DR. S. S. K. SINGH	MD	2148-49
DR. S. S. K. SINGH	MD	2149-50
DR. S. S. K. SINGH	MD	2150-51
DR. S. S. K. SINGH	MD	2151-52
DR. S. S. K. SINGH	MD	2152-53
DR. S. S. K. SINGH	MD	2153-54
DR. S. S. K. SINGH	MD	2154-55
DR. S. S. K. SINGH	MD	2155-56
DR. S. S. K. SINGH	MD	2156-57
DR. S. S. K. SINGH	MD	2157-58
DR. S. S. K. SINGH	MD	2158-59
DR. S. S. K. SINGH	MD	2159-60
DR. S. S. K. SINGH	MD	2160-61
DR. S. S. K. SINGH	MD	2161-62
DR. S. S. K. SINGH	MD	2162-63
DR. S. S. K. SINGH	MD	2163-64
DR. S. S. K. SINGH	MD	2164-65
DR. S. S. K. SINGH	MD	2165-66
DR. S. S. K. SINGH	MD	2166-67
DR. S. S. K. SINGH	MD	2167-68
DR. S. S. K. SINGH	MD	2168-69
DR. S. S. K. SINGH	MD	2169-70
DR. S. S. K. SINGH	MD	2170-71
DR. S. S. K. SINGH	MD	2171-72
DR. S. S. K. SINGH	MD	2172-73
DR. S. S. K. SINGH	MD	2173-74
DR. S. S. K. SINGH	MD	2174-75
DR. S. S. K. SINGH	MD	2175-76
DR. S. S. K. SINGH	MD	2176-77
DR. S. S. K. SINGH	MD	2177-78
DR. S. S. K. SINGH	MD	2178-79
DR. S. S. K. SINGH	MD	2179-80
DR. S. S. K. SINGH	MD	2180-81
DR. S. S. K. SINGH	MD	2181-82
DR. S. S. K. SINGH	MD	2182-83
DR. S. S. K. SINGH	MD	2183-84
DR. S. S. K. SINGH	MD	2184-85
DR. S. S. K. SINGH	MD	2185-86
DR. S. S. K. SINGH	MD	2186-87
DR. S. S. K. SINGH	MD	2187-88
DR. S. S. K. SINGH	MD	2188-89
DR. S. S. K. SINGH	MD	2189-90
DR. S. S. K. SINGH	MD	2190-91
DR. S. S. K. SINGH	MD	2191-92
DR. S. S. K. SINGH	MD	2192-93
DR. S. S. K. SINGH	MD	2193-94
DR. S. S. K. SINGH	MD	2194-95
DR. S. S. K. SINGH	MD	2195-96
DR. S. S. K. SINGH	MD	2196-97
DR. S. S. K. SINGH	MD	2197-98
DR. S. S. K. SINGH	MD	2198-99
DR. S. S. K. SINGH	MD	2199-00
DR. S. S. K. SINGH	MD	2200-01
DR. S. S. K. SINGH	MD	2201-02
DR. S. S. K. SINGH	MD	2202-03
DR. S. S. K. SINGH	MD	2203-04
DR. S. S. K. SINGH	MD	2204-05
DR. S. S. K. SINGH	MD	2205-06
DR. S. S. K. SINGH	MD	2206-07
DR. S. S. K. SINGH	MD	2207-08
DR. S. S. K. SINGH	MD	2208-09
DR. S. S. K. SINGH	MD	2209-10
DR. S. S. K. SINGH	MD	2210-11
DR. S. S. K. SINGH	MD	2211-12
DR. S. S. K. SINGH	MD	2212-13
DR. S. S. K. SINGH	MD	2213-14
DR. S. S. K. SINGH	MD	2214-15
DR. S. S. K. SINGH	MD	2215-16
DR. S. S. K. SINGH	MD	2216-17
DR. S. S. K. SINGH	MD	2217-18
DR. S. S. K. SINGH	MD	2218-19
DR. S. S. K. SINGH	MD	2219-20
DR. S. S. K. SINGH	MD	2220-21
DR. S. S. K. SINGH	MD	2221-22
DR. S. S. K. SINGH	MD	2222-23
DR. S. S. K. SINGH	MD	2223-24
DR. S. S. K. SINGH	MD	2224-25
DR. S. S. K. SINGH	MD	2225-26
DR. S. S. K. SINGH	MD	2226-27
DR. S. S. K. SINGH	MD	2227-28
DR. S. S. K. SINGH	MD	2228-29
DR. S. S. K. SINGH	MD	2229-30
DR. S. S. K. SINGH	MD	2230-31
DR. S. S. K. SINGH	MD	2231-32
DR. S. S. K. SINGH	MD	2232-33
DR. S. S. K. SINGH	MD	2233-34
DR. S. S. K. SINGH	MD	2234-35
DR. S. S. K. SINGH	MD	2235-36
DR. S. S. K. SINGH	MD	2236-37
DR. S. S. K. SINGH	MD	2237-38
DR. S. S. K. SINGH	MD	2238-39
DR. S. S. K. SINGH	MD	2239-40
DR. S. S. K. SINGH	MD	2240-41
DR. S. S. K. SINGH	MD	2241-42
DR. S. S. K. SINGH	MD	2242-43
DR. S. S. K. SINGH	MD	2243-44
DR. S. S. K. SINGH	MD	2244-45
DR. S. S. K. SINGH	MD	2245-46
DR. S. S. K. SINGH	MD	2246-47
DR. S. S. K. SINGH	MD	2247-48
DR. S. S. K. SINGH	MD	2248-49
DR. S. S. K. SINGH	MD	2249-50
DR. S. S. K. SINGH	MD	2250-51
DR. S. S. K. SINGH	MD	2251-52
DR. S. S. K. SINGH	MD	2252-53
DR. S. S. K. SINGH	MD	2253-54
DR. S. S. K. SINGH	MD	2254-55
DR. S. S. K. SINGH	MD	2255-56
DR. S. S. K. SINGH	MD	2256-57
DR. S. S. K. SINGH	MD	2257-58
DR. S. S. K. SINGH	MD	2258-59
DR. S. S. K. SINGH	MD	2259-60
DR. S. S. K. SINGH	MD	2260-61
DR. S. S. K. SINGH	MD	2261-62
DR. S. S. K. SINGH	MD	2262-63
DR. S. S. K. SINGH	MD	2263-64
DR. S. S. K. SINGH	MD	2264-65
DR. S. S. K. SINGH	MD	2265-66
DR. S. S. K. SINGH	MD	2266-67
DR. S. S. K. SINGH	MD	2267-68
DR. S. S. K. SINGH	MD	2268-69
DR. S. S. K. SINGH	MD	2269-70
DR. S. S. K. SINGH	MD	2270-71
DR. S. S. K. SINGH	MD	2271-72
DR. S. S. K. SINGH	MD	2272-73
DR. S. S. K. SINGH	MD	2273-74
DR. S. S. K. SINGH	MD	2274-75
DR. S. S. K. SINGH	MD	2275-76
DR. S. S. K. SINGH	MD	2276-77
DR. S. S. K. SINGH	MD	2277-78
DR. S. S. K. SINGH	MD	2278-79
DR. S. S. K. SINGH	MD	2279-80
DR. S. S. K. SINGH	MD	2280-81
DR. S. S. K. SINGH	MD	2281-82
DR. S. S. K. SINGH	MD	2282-83
DR. S. S. K. SINGH	MD	2283-84
DR. S. S. K. SINGH	MD	2284-85
DR. S. S. K. SINGH	MD	2285-86
DR. S. S. K. SINGH	MD	2286-87
DR. S. S. K. SINGH	MD	2287-88
DR. S. S. K. SINGH	MD	2288-89
DR. S. S. K. SINGH	MD	2289-90
DR. S. S. K. SINGH	MD	2290-91
DR. S. S. K. SINGH	MD	2291-92
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DR. S. S. K. SINGH	MD	2293-94
DR. S. S. K. SINGH	MD	2294-95
DR. S. S. K. SINGH	MD	2295-96
DR. S. S. K. SINGH	MD	2296-97
DR. S. S. K. SINGH	MD	2297-98
DR. S. S. K. SINGH	MD	2298-99
DR. S. S. K. SINGH	MD	2299-00
DR. S. S. K. SINGH	MD	2300-01
DR. S. S. K. SINGH	MD	2301-02
DR. S. S. K. SINGH	MD	2302-03
DR. S. S. K. SINGH	MD	2303-04
DR. S. S. K. SINGH	MD	2304-05
DR. S. S. K. SINGH	MD	2305-06
DR. S. S. K. SINGH	MD	2306-07
DR. S. S. K. SINGH	MD	2307-08
DR. S. S. K. SINGH	MD	2308-09
DR. S. S. K. SINGH	MD	2309-10
DR. S. S. K. SINGH	MD	2310-11
DR. S. S. K. SINGH	MD	2311-12
DR. S. S. K. SINGH	MD	2312-13
DR. S. S. K. SINGH	MD	2313-14
DR. S. S. K. SINGH	MD	2314-15
DR. S. S. K. SINGH	MD	2315-16
DR. S. S. K. SINGH	MD	2316-17
DR. S. S. K. SINGH	MD	2317-18
DR. S. S. K. SINGH	MD	2318-19
DR. S. S. K. SINGH	MD	2319-20
DR. S. S. K. SINGH	MD	2320-21
DR. S. S. K. SINGH	MD	2321-22
DR. S. S. K. SINGH	MD	2322-23
DR. S. S. K. SINGH	MD	2323-24
DR. S. S. K. SINGH	MD	2324-25



10, and 2011-12 (noting that the APAR for 2010-11 is not in the file). We find that the Reporting Officer and the Reviewing Officer have reported that the integrity of the petitioner was beyond doubt and that he was a disciplined, hardworking, and sincere officer. The Reviewing Committee, which should, in fact, be looking into the entire service record of the officer, should have also taken note of the APAR/ACRs, especially where the APAR/ACRs for the period 2012-13 to 2017-18 were not available.

20. The Reviewing Committee also observed that the petitioner was wanting in performing his duties on many occasions and involved in misconducts amounting to doubtful integrity. Apart from a mere statement, no material has been placed before us to substantiate this grave allegation against the petitioner. Even from the record of the Reviewing Committee, we do not find the same to be substantiated.

21. Given the above circumstances, we are unable to uphold the order passed by the learned Tribunal as also the orders passed by the respondents. The same are accordingly set aside.

22. We, therefore, direct that the Competent Authority of the respondents shall revisit the case of the petitioner and take an informed decision on the same, keeping in view the above factors and such other factors as may be relevant for reaching a fresh conclusion on whether the case of the petitioner deserves the exercise of powers under FR 56(j) or not. The said decision must be reached within a period of eight weeks from today. In case the decision is in favour of the petitioner, the petitioner shall be entitled to reinstatement with all consequential benefits. In case it is adverse to the petitioner, it shall be



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open to the petitioner to challenge the same in accordance with law.

23. The petition is disposed of in the above terms. There shall be no orders as to costs.

24. The original record of the Department has been returned to the respondents.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 11, 2025/rv/dk