

08.05.2026
Item No.26
Ct. No. 1
RP

WPCT 8 of 2026
Union of India & Ors.
Vs.
Debasish Biswas & Ors.

Mr. Swapan Kumar Nandi
Mr. Samitendra Narayan Dutta
Mr. Tapan Bhanja
...For UOI
Mr. Siddhartha Sankar Mandal
Mr. Chiradip Sinha
Ms. Sharmistha Dhar
...for Respondent Nos.1 to 9
Mr. Bipul Kumar Mandal
Ms. Tuli Sinha
...for Respondent No.10

Dictated by SUJOY PAUL, CJ.:-

1. Parties are represented through their respective learned counsels.
2. With consent finally heard.
3. During the course of hearing learned counsel for the parties in view of the order dated 31.3.2026 made their submission. It is agreed that the present petition may be disposed of by upholding the order of the Central Administrative Tribunal dated 11.3.2025 passed in OA 350/203/2024 to the extent the Tribunal applied the principle of

wedding out the faulty and interfered with the order. The parties during the course of hearing agreed that the impugned order of the Tribunal may be modified by holding that if the employees, whose APARs were not evaluated by the competent authority or its contains some other deficiencies and upon reconsideration the said employees acquired more marks than the present respondents, liberty may be given to the department to consider more meritorious candidates. It is agreed that the entire exercise may be directed to be completed within ninety days from the date of production of a copy of this order.

4. Thus, the order of the Tribunal dated 11.3.2025 is modified to the extent that if the employees, whose APARs were not evaluated by the competent authority and upon reconsideration

if they acquire higher marks than the present respondents, the department will be at liberty to select more meritorious candidates in view of the fact that the posts are limited. To this extent, the department will be at liberty to pass appropriate order. To the aforesaid extent, the order of the Tribunal stands modified.

5. In the result, the petition is disposed of.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)