GAURI AMIT GAEKWAD
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

(908) CONTEMPT PETITION NO.6 OF 2026
AND
(909) CONTEMPT PETITION NO.7 OF 2026

G.S. Rathore ….Petitioner

Versus

The Union of India ….Respondent

Mr. A.S. Rao i/b. Mr. R.V. Dighe for the Petitioner in both Petitions.
Ms. Smita Thakur i/b. Mr. Suresh Kumar for the Respondent in both Petitions.

CORAM : RAVINDRA V. GHUGE, ACJ.
&
GAUTAM A. ANKHAD, J.

DATE : 11th AUGUST, 2026

P.C. :-

1. We have perused the order of the learned Central Administrative Tribunal, which was the subject matter of challenge in the Writ Petitions. There is no dispute that the Tribunal directed expungement of the adverse remarks against the Petitioner with reference to two periods, that were considered for writing the ACRs. There is also no dispute that the Tribunal directed that the Petitioner's performance should be reviewed and the ACRs should be rewritten. It is equally undisputed that, earlier the judgment of the Tribunal was stayed by this Court and by a judgment dated 23rd September, 2024, both the Writ Petitions Nos.3456 of 2009 and

3457 of 2009, filed by the Union of India and others, were dismissed by this Court. As such, the conclusions of the Tribunal that the adverse ACRs should be expunged and fresh ACRs should be rewritten, were sustained by this Court.

2. The learned Advocate for the original Petitioner, UoI, has tendered a letter dated 19th December 2025, thereby complying with the directions of the Tribunal, which were sustained by this Court. The said letter, along with the order dated11th December, 2025 (7 pages), is taken on record and collectively marked as '**X**' for identification.

3. It is crystal clear that the order 'X' has been served upon the Petitioner by Speed Post A.D. The original Petitioner has the acknowledgment of receipt. The adverse remarks have been expunged. The ACRs have been rewritten.

4. The grievance of the original Appellant before the Tribunal and the Contempt Petitioner before us, is that the authorities who were required to rewrite the ACRs were no longer in service after the judgment of this Court. Consequently, other officers have rewritten the ACRs based on the available records.

5. We find that the above grievance of the Contempt Petitioner could be considered only if the Petitioner challenges the rewritten ACRs by approaching the learned Central Administrative Tribunal. These contentions on the merits of the decision arrived at by the authorities cannot be gone into in Contempt proceedings.

6. In view of the above, **both the Contempt Petitions are disposed off**.

7. Needless to state that if the Petitioner decides to approach the Central Administrative Tribunal, against the rewritten ACRs, all contentions are kept open.

(GAUTAM A. ANKHAD, J.) **(ACTING CHIEF JUSTICE)**