



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CWP-15288-2019

Date of Decision: 10.02.2026

JAI PAL

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL.

Present:- Mr. Deepam Raghav, Advocate for petitioner

Mr. Ravi Pratap Singh, D.A.G., Haryana

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 recorded in his ACR for the period from 07.05.2012 to 27.07.2012 and 10.12.2012 to 15.01.2013.

2. The petitioner was enrolled as Constable in Haryana Police on 02.11.1991. He was promoted from time to time. He claims that respondent No.5 forced him to proceed on VRS despite the fact that a regular departmental inquiry was pending against him. He was awarded punishment of stoppage of pension for three years vide order dated 27.08.2012. He preferred appeal against voluntary retirement order. The appellate authority vide order dated 27.07.2012 set aside order of voluntary retirement. The respondent after petitioner's reinstatement on 05.12.2013 communicated adverse remarks recorded in his ACR. He preferred representation against adverse remarks which came to be rejected vide order dated 12.02.2014. He filed second representation which was rejected vide order dated 19.05.2014. The respondent initiated another departmental inquiry alleging that he has contact with Gurmeet Singh who is accused in 3 cases. The inquiry officer exonerated him



from all the charges still Superintendent of Police, Kaithal issued him warning vide order dated 26.09.2013. He preferred representation against adverse remarks recorded in his ACR for the period from 07.05.2012 to 27.07.2012 and 10.12.2012 to 15.01.2013. The Director General of Police vide order dated 16.03.2015 rejected his representation. He preferred CWP-2984-2019 before this Court assailing adverse remarks recorded in his ACR. The said petition was disposed of vide order dated 14.03.2019 with a direction to respondent to pass order on his mercy appeal/revision. The Additional Chief Secretary to Government of Haryana, Home Department vide impugned order dated 19.08.2018 has rejected his representation.

3. From the pursual of record, it is evident that petitioner at one stage was permitted to proceed on VRS. He challenged order of VRS which came to be set aside by appellate authority. He was implicated in different departmental inquiries. The reporting authority recorded adverse remarks in his ACR. The matter was examined by higher authorities as well as Government. All the authorities found nothing arbitrary or bias on the part of officer recording adverse remarks in ACR.

4. Hon'ble Supreme Court time and again has enunciated that adverse remarks qua integrity recorded in ACR adversely affect future prospects of an employee. Writing of confidential reports is an administrative function. Officers reporting upon performance must show objectivity, impartiality and fair assessment, without any prejudices whatsoever and the highest sense of responsibility so as to inculcate devotion to duty, honesty and integrity. Officers get demoralized by negative ACR which reduces their efficacy and efficiency. Confidential reports are maintained by the government and other organizations to assess the employee's service record at the time of consideration of his case for grant of increments, promotions, retention in service etc. The Courts would normally refrain to interfere with the recording



thereof. The reason for such reluctance is because the officer who is entrusted with the duty of writing confidential reports is best suited for this job.

5. In the case in hand, the authorities have categorically recorded that there were multiple occasions where he was awarded punishment of censure. He was negligent towards his duties. He was held guilty for disclosing secret information to criminals. On close supervision of his work and conduct, it was found that his integrity was doubtful and accordingly adverse remarks were recorded.

6. It is supervising authority which knows weakness and strength of its employee. Judicial interference under Article 226 of the Constitution of India is not warranted because there is no misuse of power or *mala fide* on the part of respondent. Further, there is no material irregularity in terms of jurisdiction or procedure.

7. In the wake of above discussion and findings, this Court does not find it appropriate to interfere with remarks recorded by Authority in the ACR of the petitioner.

8. Dismissed.

9. Pending Misc. application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

10.02.2026
SDK

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No