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

+ CONT.CAS(C) 1715/2025 and CM APPL.4032/2026
BALRAM JAISWALPetitioner

versus

MUGDHA SINHA & ANR.Respondents

5

+ CONT.CAS(C) 1716/2025 and CM APPL.4016/2026
MS VAISHALI SINGH KOSHAL & ANR.Petitioners

versus

MS MUGDHA SINHA & ANR.Respondents

6

+ CONT.CAS(C) 1720/2025 and CM APPL.4042/2026
VIKASH KUMAR ANANDPetitioner

versus

MS MUGDHA SINHA & ANR.Respondents

7

+ CONT.CAS(C) 1722/2025 and CM APPL.4043/2026
VEETA SINGHPetitioner

versus

MS MUGDHA SINHA MANAGING DIRECTOR & ANR.Respondents

Through:

Presence:

Mr. Sagar Saxena, Mr. Krishnandu Halder and Mr. Abu Hassan Usmani,
Advs. for petitioner in item nos.4, 5, 6 and 7.

Mr. Chetan Sharma, ASG, Mr. Amit Gupta, Mr. R. V. Prabhat, Mr.
Shubham Sharma, Mr. Yash Wardhan Sharma and Mr. Naman, Advs. for
respondent in item nos.4 to 7.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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11.03.2026

1. The present petitions have been filed by the petitioners alleging wilful disobedience/non-compliance of the directions contained in the order dated



14.07.2025 passed in W.P.(C) 16183/2023 and connected matters. The operative directions therein are as under:

“3. The learned senior counsel for the petitioners submits that he has taken instructions and the petitioners would take the relevant ACRs beginning from 2011 into consideration after reviewing the same pursuant to the representations submitted by the respondents, if any, in terms of the impugned order. Wherever the representations, due to some unavoidable reasons like the non-availability of the Reporting Officer, Reviewing Officer or the Accepting Officer, cannot be considered, the said ACR of the respondents shall be ignored from consideration.

4. We direct accordingly.

5. The entire exercise be completed within a period of eight weeks from today. Thereafter, the matter of promotion of the respondents and others will be placed before the Review DPC. The exercise of the Review DPC and consequential orders be completed within a period of twelve weeks from today.

6. As far as the direction of the learned Tribunal that the ACR of ‘Good’ will be treated as ‘Very Good’ or ‘Very Good’ will be treated as ‘Outstanding’ is concerned, the learned counsel for the respondents, on instructions, submits that this direction shall not be pressed by the respondents.

7. The impugned direction of the learned Tribunal shall stand modified to the above extent.

8. Needless to say, the petitioners shall act in accordance with the Rules. The fact that the respondents have initiated litigation should not come in the way of the respondents or be made part of the consideration by the Review DPC.

9. With the above modification in the impugned directions of the learned Tribunal, the petitions along with the pending applications are disposed of.”

2. It transpires from a perusal of the annexures filed alongwith the CM.APPL. No. 4032/2026 in CONT. CAS (C) 4032/2026 that the exercise contemplated in the aforesaid order was conducted. In particular, reference is apposite to the Order dated 13.12.2025 issued by the India Tourism Development Corporation Ltd. The same reads as under:



ORDER

Sub:- Review DPC in terms of Hon'ble High Court Order dated 14.07.2025 passed in WP(C) No. 16183 of 2023 titled ITDC Vs Balram Jaiswal.

Ref : (i) Order dated 14.07.2025 of the Hon'ble High Court of Delhi passed in WP (C) No. 16183 of 2023 titled ITDC Vs Balram Jaiswal & others.
(ii) Your Representation dated 24.07.2025.
(iii) Personal hearing held on 25.08.2025.
(iv) Speaking Order dated 03.11.2025.
(v) Order dated 14.11.2025 of the Hon'ble High Court of Delhi.

1. This is in continuation of the Speaking Order dated 03.11.2025 issued in compliance with the directions in terms of order dated 14.07.2025 of the Hon'ble Delhi High Court. There is a delay in passing the speaking order dated 03.11.2025 for which ITDC had filed an application for the condonation of the delay. The Hon'ble Delhi High Court vide Order dated 14.11.2025 pleased to condone the delay in passing the speaking Order dated 03.11.2025. As there was no change in the APAR pursuant to the consideration of the representation of the Employee, the speaking order dated 03.11.2025 indicated that no meaningful purpose would be served by constituting a Review DPC. However, as the Order of the Hon'ble High Court dated 14.07.2025 in Writ Petition No. 16183 of 2023 contained the following directions in Paragraph 5:-

"5. The entire exercise be completed within a period of eight weeks from today. Thereafter, the matter of promotion of the respondents and others will be placed before the Review DPC. The exercise of the Review DPC and consequential orders be completed within a period of twelve weeks from today."

2. It was decided that it would be appropriate to constitute a Review DPC to consider the case of promotion of the Employee notwithstanding the fact that post receipt of representation his APAR grading remained unchanged.
3. Accordingly, a Review DPC was constituted, comprising of higher management of ITDC and one special invitee from UPSC. Your representation dated 24.07.2025, personal hearing held on 25.08.2025, and entire relevant records have been placed before the Review Committee.
4. Further, during the Review DPC meeting, the Committee noted inter-alia the operative portion of the Hon'ble Delhi High Court Order dated 14.07.2025 that :-

8. "Needless to say, the petitioners shall act in accordance with the rules. The fact that the respondents have initiated litigation should not come in the way of the respondents or be made part of the consideration by the Review DPC".

5. In this regard, the Review DPC was informed that ITDC does not have its own set of rules w.r.t. Review DPC hence, the Review DPC referred and rely upon Rule 18.1 to 18.3 of DOPT's Office Memorandum No:- 22011/5/86- Estt. (D) dated 10th April 1989.

6. The Review DPC has considered service rules/RP&S Rules and the directions issued by the Hon'ble Delhi High Court and arrived at a unanimous finding that there is no change in your status consequently your status about the promotion remains unaltered.

This is issues with the approval of the Competent Authority.

3. Learned counsel for the respondents emphasises that the aforesaid



order has been issued in compliance with the directions contained in the order dated 14.07.2025.

4. In the circumstances, it cannot be said to be any wilful disobedience of the directions contained in the said order dated 14.07.2025.

5. However, learned counsel for the petitioner vehemently contends that there were severe shortcomings in the exercise conducted by the respondents and that the matter has not been considered in the right perspective, and the relevant rules/regulations have also been disregarded. He further submits that even a copy of the proceedings of the Review DPC has not been supplied to the petitioner.

6. The said contentions are disputed by the learned counsel for the respondents.

7. Be that as it may, it shall be open to the petitioner to agitate the aforesaid issue/s by way of availing appropriate remedies under law.

8. With the aforesaid liberty, the present petitions are dismissed. Pending applications also stand disposed of.

SACHIN DATTA, J

MARCH 11, 2026/at