



\$~4

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

Date of decision: 12.11.2025

+ W.P.(C) 16670/2025 & CM APPL. 68374/2025

ARVIND

.....Petitioner

Through: Mr. T. M. Shivakumar,
Mr.Sanjay, Ms. Laxmi Pundi,
Ms. Simmi Bagga, Ms. Palak
Thakur, Ms. Sakshi Rana,
Adv.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Ms. Manisha Agrawal Narain,
CGSC with Ms. Aditi Singh
GP.

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 02.09.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No. 1578/2021, titled ***Arvind v. Union of India & Ors.***, dismissing M.A. No. 2730/2025 filed by the petitioner herein, seeking condonation of delay in filing the O.A. as well as the O.A. itself, on the ground of delay.

2. By the above O.A. the petitioner had challenged his Annual Performance Appraisal Report (APAR) for the period 01.08.2017 to 21.01.2018 as well as the Memorandum dated 19.06.2019 passed by the respondents in response to the representation filed by the petitioner



thereagainst. He also sought upgradation of the said APAR from 'Good' to 'Very Good'. In the alternative, he sought that the said APAR be replaced by only his self- appraisal report.

3. The O.A. had been filed with a delay of 1180 days.
4. The learned counsel for the petitioner vehemently urges that the petitioner had been made to undertake various litigations, and because of the same, he could not pursue his challenge against the abovementioned memorandum.
5. He submits that the petitioner had been consistently requesting his counsel to take up the challenge to the subject APAR, however, it was the counsel who did not file the O.A. within time.
6. We are not impressed with the above submissions of the learned counsel for the petitioner.
7. The learned Tribunal, in the Impugned Order, has taken note of the fact that the petitioner has not only filed various O.As., but also initiated other action against the respondents, in a total of 19 matters between 2019 to 2023.
8. Before the learned Tribunal, the plea taken was one of inability to file the O.A. because of Covid-19 pandemic, and vague assertions with respect to incapacity to pursue the cause of action against the Impugned APAR and the Memorandum. The learned Tribunal did not find it to be a sufficient cause to condone the delay. We agree with the finding of the learned Tribunal.
9. The plea that it was the counsel who did not file the O.A. does not also impress us. Apart from some vague unconnected messages exchanged between the petitioner and his counsel, the petitioner could



not draw our attention to any action taken by the petitioner in case his counsel was not filing the O.A. despite his request. The petitioner cannot simply put the delay at the doorstep of his counsel.

10. As there is a challenge to the APAR, great prejudice would be caused to the respondents in case such a belated challenged is allowed to be urged by the petitioner and matters which are deemed closed are allowed to be reopened.

11. Accordingly, we find no merit in the present petition. The same along with the pending application, is dismissed.

NAVIN CHAWLA, J

MADHU JAIN, J

NOVEMBER 12, 2025/prg/P/ik