



2025:DHC:8454-DB



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

*Date of decision: 18.09.2025*

+ **W.P.(C) 2937/2023 & CM APPL. 11442/2023**

**UNION OF INDIA AND ANR**

.....Petitioners

Through: Mr. Mukul Singh, CGSC, Ms.  
Ira Singh, Mr. Aryan Dhaka,  
Advs.

versus

**NEETA MISHRA**

.....Respondent

Through: None.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**HON'BLE MS. JUSTICE MADHU JAIN**

**NAVIN CHAWLA, J. (ORAL)**

1. In spite of service, none has been appearing for the respondent.

The respondent is, therefore, proceeded *ex-parte*.

2. This petition has been filed by the petitioners, challenging the Order dated 13.09.2022 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No. 730/2017, titled *Neeta Mishra v. Union of India and Anr.*, whereby the learned Tribunal disposed of the O.A. filed by the respondent herein with a direction to the petitioners to supply copies of the ACRs for the period 1987-1988 to 1992-1993 to the respondent. It was further directed that upon receipt of the copies of the ACRs, the respondent shall be at liberty to make a





petitioners to supply the ACRs for the period 1987-1988 to 1992-1993 to the respondent, and further permitted the respondent to make a representation thereon, which the petitioners were directed to consider. We may quote from the Impugned Order as under:

*“4. Without going into the details of the case we notice that vide para 8.2 what the applicant is seeking is copies of her annual confidential reports w.e.f. 1987-1988 and 1992-1993. She is seeking these ACRs primarily to make an effective representation to the appropriate authority, airing her grievances, with respect to her seniority and promotion. Since the applicant is herself not seeking anything but relevant documents enabling her to make a representation to the appropriate authority, we consider that it would be premature to go into the merits of the case at this juncture.*

*5. Moreover, the applicant is entitled to obtain copies of her ACRs and no prejudice is likely to be caused to either of the parties if such documents are supplied to the applicant. Further, we notice that in the counter reply the respondents have also disclosed some of the remarks and observations in the ACRs.”*

5. In our view, the learned Tribunal ought to have first considered the question of limitation. In terms of Section 21 of the Administrative Tribunals Act, 1985, an O.A. can be filed only within a period of one year from the date on which the cause of action arises.

6. In the present case, the cause of action, even as per the O.A., arose when the respondent was overlooked for promotion on the basis of her ACRs in the year 1993. The respondent made a few representations in the year 1994-1995, which were responded to by the petitioners; the last being by communication dated 30.03.1995. Thereafter, the respondent approached the petitioners only in the year





2025:DHC:8454-DB



said issue before proceeding further on the merits of the O.A.

9. The O.A. is restored to its original number before the learned Tribunal.

10. The parties shall appear before the learned Tribunal on 14.10.2025. As none is appearing before us for the respondent, in case appears for the respondent even before the learned Tribunal, the learned Tribunal may proceed with the consideration of the OA in absence of the respondent or take such other steps as may be deemed fit and proper by the learned Tribunal.

11. The learned Tribunal shall first consider the issue of limitation, and only if it finds the O.A. to be within the prescribed period of limitation, shall it proceed to consider the claim of the respondent on merit.

12. The petition and the pending application stand disposed of in above terms.

13. There shall be no order as to costs.

**NAVIN CHAWLA, J**

**MADHU JAIN, J**

**SEPTEMBER 18, 2025/ys/k/DG**