



2025:DHC:5575-DB



\$~120 to 123

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

*Date of decision: 14.07.2025*

**(120)+ W.P.(C) 16165/2023 & CM APPL. 65017/2023, CM APPL. 68952/2024, CM APPL. 911/2025**

**(121)+ W.P.(C) 16179/2023 & CM APPL. 65052/2023, CM APPL. 69192/2024, CM APPL. 897/2025**

**(122)+ W.P.(C) 16183/2023 & CM APPL. 65059/2023, CM APPL. 68650/2024, CM APPL. 821/2025**

**(123)+ W.P.(C) 16191/2023 & CM APPL. 65075/2023, CM APPL. 69196/2024, CM APPL. 824/2025**

**INDIA TOURISM DEVELOPMENT CORPORATION LTD  
AND ORS** .....Petitioners

Through: Mr.Sanjoy Ghose, Sr. Adv.  
with Mr.Krishan Kumar,  
Mr.Seemant Garg, Mr.Nitin Pal  
and Mr.Rohan Mandal, Advs.

versus

**VIKASH KUMAR ANAND AND ORS** .....Respondents  
**VEETA SINGH & ORS.** .....Respondents  
**BALRAM JAISWAL** .....Respondent  
**MS. VAISHALI SINGH KOSHAL AND ORS.** .....Respondents

Through: Mr.Sagar Saxena, Mr.Parmeet  
Singh, Mr.Sarthak Pandey and  
Mr.Krisnandu Haldar, Advs.

**CORAM:**  
**HON'BLE MR. JUSTICE NAVIN CHAWLA**  
**HON'BLE MS. JUSTICE RENU BHATNAGAR**

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

1. These petitions challenge the common Order dated 14.07.2023 passed by the learned Central Administrative Tribunal, Principal



Bench, New Delhi (hereinafter referred to as, 'Tribunal') in. O.A. 2419/2018, O.A. 4403/2018, O.A. 4495/2018 and O.A. 414/2021, allowing the said O.A.s filed by the respondents herein with the following directions:

*“21. Accordingly, we hereby direct that:-*

*(i) the respondents to communicate ACRs to the applicant(s) within a period of one month from the date of receipt of a copy of this order and the applicant(s) may make representation within 10 days thereafter for upgradation of their ACR and a reasoned and speaking order be passed thereon within two weeks.*

*(ii) the respondents to consider the applicant(s) promotion to the next higher level by treating their entry of 'Good' as 'Very Good' or 'Very Good' as 'Outstanding' for the respective years in their ACRs for the which the applicant(s) were not communicated their ACRs and their case may be put before the DPC for consideration of promotion to the next higher level, if the applicant(s) are otherwise eligible.*

*22. Needless to say that since the initial grading by the respondents in ACR of the applicant(s) was/were sufficient for consideration for the next higher post prior to 2017, we give liberty to the respondents to reconsider and take appropriate steps to constitute a DPC within a period of two months' time, otherwise the above direction (i) has to be complied with.*

*23. It is also clarified that the applicant(s) will not be entitled for any monetary benefits for the said period. However, they are entitled for notional benefit with all consequential benefits, if any.”*

2. When these petitions were listed before us on 07.07.2025, we



had requested the counsels for the parties to seek instructions on the following:

*“4. After considering the submissions made by the learned counsels for the parties, we have put to the learned senior counsel for the petitioners that whether the petitioners, due to a long passage of time now, would be in a position to review all the ACRs of the respondents. It is presumed that in the meantime, the reporting/reviewing/accepting authority may have since retired or is/are now not available. The course then open to the petitioners is to ignore these ACRs as held in Abhijit Ghosh Dastidar (supra) as under:*

*xxxxxxx*

*5. As far as the up-gradation of the grading in the ACRs is concerned, we have put it to the learned counsel for the respondents to show us justification for the same.”*

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



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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.

**NAVIN CHAWLA, J**

**RENU BHATNAGAR, J**

**JULY 14, 2025/sg/SJ**