



2025:DHC:7329-DB



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

Date of decision: 26.08.2025

+ W.P.(C) 12944/2025 & CM APPL. 52894/2025

RAVINDER KUMARPetitioner

Through: Mr.Ankur Chhibber,
Mr.Anshuman Mehrotra,
Mr.Nikunj Arora, Mr.Arjun
Panwar, Mr.Amrit Kaul,
Mr.Prahid Sharma,
Ms.Muskaan Dutta,
Ms.Anushka Verma, Advs.

versus

UNION OF INDIA AND ORSRespondents

Through: Mr.Balendu Shekhar, CGSC,
Mr. Vivek Nagar, GP along
with Mr.Rajkumar Maurya,
Mr.Krishna Chaitanya,
Mr.Divyansh Singh Dev, Advs.

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 12.08.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in R.A. No.107/2024 in O.A. No.214/2020, titled *Union of India & Ors. v. Ravinder Kumar & Ors.*, allowing the review petition filed by the respondents herein and recalling its earlier Order dated 08.04.2024 passed in the above O.A., and directing that the O.A. be heard afresh finally on 25.08.2025 at 2:30 P.M.. We are informed that OA could



not be taken up for hearing and has been adjourned.

2. The learned counsel for the petitioner submits that no ground for review has been made out by the respondent nos.1 and 2 and, therefore, the Impugned Order is contrary to law. He submits that all the contentions of the respondents had been duly considered by the learned Tribunal while passing the Order dated 08.04.2024. The said order was challenged by the respondents before this Court by way of a Writ Petition, being W.P.(C) 13101/2024, which, after some arguments, was withdrawn with liberty to file a review application before the learned Tribunal. Pursuant thereto, the respondent nos.1 and 2 filed the review petition before the learned Tribunal, which has now been allowed without assigning any cogent reason.

3. He submits that the learned Tribunal observed that the Order dated 08.04.2024 does not record the submissions of the respondent nos.1 and 2, though it further states that “from the running order sheet, it is evident that enough opportunity has been given to the respondents as well’. He further submits that paragraph nos.8, 9, and 10 of the Order dated 08.04.2024, in fact, record the submissions of the learned counsel for the respondents in the original proceedings.

4. We have considered the submissions made by the learned counsel for the petitioner.

5. In the present case, the issue before the learned Tribunal was whether the Annual Performance Appraisal Reports (APARs) for the relevant period, which had not yet been approved by the Accepting Authority, could be taken into account for assessing the inter se merits of candidates in the Limited Departmental Competitive Examination



(LDCE) for promotion from Group 'C' to Group 'B' post of Assistant Commercial Manager (ACM), conducted in the year 2019. The learned Tribunal, in its Order dated 08.04.2024, held that since the APAR of respondent no. 3 had not been approved by the Accepting Authority as on the cut-off date, the same could not be taken into account. The review was filed, *inter alia*, contenting therein that in terms of the Rules, these APARs, though incomplete, could still have been taken in account.

6. The limited scope of the review petition before the learned Tribunal, therefore, is whether these incomplete APARs can at all be taken into account by the Departmental Promotion Committee (DPC) while considering the *inter se* merits of the candidates under the LDCE Examination. As the learned Tribunal is yet to opine on this issue, we would not comment on the same. At the same time, we do not consider this to be a first case to interfere with the proceedings before the learned Tribunal.

7. Since the O.A. itself is listed on a short date for final hearing, we request the learned Tribunal to dispose of the O.A. confined to the above issue.

8. The present petition is disposed of in the above terms. The pending application is also disposed of as infructuous.

NAVIN CHAWLA, J

MADHU JAIN, J

AUGUST 26, 2025/Arya/DG