

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No.394/2021

This the 09th day of March, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Bharat Bhushan (Group A),
S/o Shri Vidya Prakash Bharti,
Aged 50 years,
R/o B-6/02, Group Housing-11,
Ajat Shatru, Kasuk, Sector-52,
Gurugram-22001,
Presently working
As Deputy Director General, Group A,
At Directorate General of Civil Aviation,
Opposite Safdarjung Airport, New Delhi.

...Applicant

(By Advocate: Mr. Ankur Chhibber)

VERSUS

1. Union of India,
Through the Secretary,
Ministry of Civil Aviation,
Safdarjung Airport, New Delhi.
2. The Directorate General of Civil Aviation,
Opposite Safdarjung Airport, New Delhi – 110003.
3. Jitendra Singh Rawat,
S/o Late Sh. P. S. Rawat,
R/o Pavilion Heights-1, Flat No. 1206,
Jaypee Greens, Wishtown,
Sector-128, Noida 201304,
Uttar Pradesh.

...Respondents

(By Advocate: Mr. Shailender Tiwari)



ORDER (Oral)**Justice L. Narasimha Reddy:**

The applicant filed a representation dated 16.10.2017 to the Competent Authority feeling aggrieved by the gradation given to him in the APAR for the year 2016-17. In the said APAR, the Reporting Authority (RA) graded the applicant as "very good" by awarding 6.50 marks, whereas the Reviewing Authority (Rev.A) downgraded the same to the level of "good" by awarding 5 marks. The Accepting Authority (AA) found the rating given by the Rev.A as correct.

2. The representation was dealt with by the AA and, thereafter, forwarded to the Competent Authority (CA). Through an order dated 08.02.2020, the CA rejected the representation without recording any reason whatsoever. This O.A. is filed, challenging the same.

3. The applicant submits that the CA is under obligation to obtain the remarks of RA and Rev.A and, thereafter, to form his own opinion on perusing the records and that such an exercise has not taken place in his case.

4. Learned counsel for the respondents, on instructions, submits that it has since been decided to call for the



remarks from the RA and Rev.A and further steps shall be taken in accordance with law.

5. We, therefore, dispose of the OA setting aside the impugned order and directing that the Competent Authority shall pass a reasoned order duly taking into account, the remarks of the Reporting and Reviewing Authorities, on the representation made by the applicant for the up-gradation of the APAR for the year 2016-17, duly indicating the reasons in support of his conclusions. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/Vinita/lg/ankit/sd/akshaya/