

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

O.A. No.1643/2019

Monday, this the 27th day of May 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

Smt. Vijay Badhwar
Group A, Age 58, Vice Principal
r/o 297, Nilgiri Apartments
Alaknanda, New Delhi – 110 019

..Applicant

(Ms. Tamali Wad, Advocate)

Versus

1. Directorate of Education
Through its Director
Govt. of NCT of Delhi
Old Sectt., New Delhi – 110 054
2. Dy. Director of Education (South)
o/o Directorate of Education
Govt. of NCT of Delhi
C- Block, Defence Colony
New Delhi
3. S M S Kujur (retired)
Former Deputy Director of Education
District South East
Through the o/o the Directorate of Education
Govt. of NCT of Delhi
Old Secretariat, Delhi – 110 054

..Respondents

O R D E R (ORAL)

Justice L. Narasimha Reddy:

The applicant is working as Vice Principal in the Directorate of Education, Govt. of NCT of Delhi, the first respondent herein. In her Annual Performance Appraisal

Report (APAR) for the year 2015-16, the reporting officer is said to have awarded 7.08 marks but the reviewing officer has reduced the same to 6.20 marks. Similarly, for the subsequent year (2016-17), the reporting officer awarded her 7.18 marks whereas the reviewing officer has slashed it to 6.22 marks. The applicant filed this O.A. challenging the down-gradation of the APARs by the reviewing officer.

2. We heard Ms. Tamali Wad, learned counsel for applicant, at the stage of admission.

3. From the material placed in the O.A., it is evident that the reviewing officer has awarded the marks to the applicant, which are less than the marks awarded by the reporting officer. It is not known as to whether the difference of awarding of marks by those two authorities has any reflection on the gradation. Be that as it may, the relevant O.Ms. provide for submission of representation to the competent authority, which is vested with the power to call for the records and to pass orders, depending on its satisfaction. The applicant can avail the same. The Tribunal cannot sit as an appellate authority over the APARs.

4. We, therefore, dispose of this O.A. leaving it open to the applicant to make representation to the competent authority, as regards the two APARs for the years 2015-16 & 2016-17, within four weeks from the date of receipt of a copy of this order. The competent authority, in turn, shall pass orders on the

representation, within two months thereafter and communicate the decision to the applicant.

There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

May 27, 2019
/sunil/