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

+ LPA 613/2022

MANISH GUPTA

.....Appellant

Through: Appellant in person

versus

UTI INFRASTRUCTURE TECHNOLOGY AND SERVICES LTD  
& ANR. ....Respondent

Through: Mr. Vishesh Kalra and Ms. Sonia  
Sharma, Advs.  
Mr. Ripu Daman Bhardwaj, CGSC  
with Mr. Kushagra Kumar and Mr.  
Amit Kumar Rana, Advs.

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE TEJAS KARIA**

**ORDER**

% **02.07.2026**

**CM APPL. 39926/2026**

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

**CM APPL. 39994/2026**

3. This is an application seeking amendment in the prayer clause of the appeal.
4. The instant appeal has been preferred by the appellant challenging the judgment and order dated 05.09.2022 passed by the learned Single Judge whereby the writ petition filed by the appellant was partly allowed and he



was given liberty to make representation against the performance appraisal ratings awarded to the petitioners. The learned Single Judge in the impugned order had also directed that if any such representation is made, that shall be placed before the competent authority for due consideration.

5. In light of the aforesaid observation made by the learned Single Judge in the impugned order, the appellant appears to have preferred a representation which has been decided by an order dated 27.09.2023.

6. It is in the background of the aforesaid facts that this Court, on 30.04.2026, made certain observations in this appeal whereby the appellant was permitted to consider challenging the subsequent order dated 27.09.2023 passed by the competent authority on the representation which was preferred by him in pursuance of the liberty granted by the learned Single Judge by the impugned order.

7. The order dated 27.09.2023 rejecting the representation preferred by the appellant gives him a fresh cause of action which can appropriately be challenged by the appellant by instituting any appropriate proceedings, including the proceeding of a writ petition before the learned Single Judge and not by seeking amendment of the prayer clause of the present appeal.

8. Accordingly, we are not inclined to allow the application. Thus, the same is rejected.

9. It is needless to observe that it is always open to the appellant to challenge the order dated 27.09.2023 by instituting appropriate proceedings, including proceedings of a writ petition before the learned Single Judge.

**CM APPL. 39925/2026**

10. This is an application moved by the appellant seeking stay of the transfer order dated 19.06.2026 whereby he has been transferred to Raipur



from Delhi.

11. Subject matter of the appeal does not relate to transfer of the appellant and, accordingly, without there being any substantive challenge to the order of transfer, any interim order in the nature of stay of the transfer order cannot be sought by the appellant in these proceedings.

12. Accordingly, the application is rejected.

13. However, it will always be open to the appellant to take substantive proceedings for challenging the transfer order before appropriate forum/ Court, including instituting a writ petition before the learned Single Judge.

**DEVENDRA KUMAR UPADHYAYA, CJ**

**TEJAS KARIA, J**

**JULY 2, 2026**

*N.Khanna*