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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 8991/2016 & CM APP No. 36492/2016, 4580-81/2019,
20381/2022
SUNIL KUMARPetitioner

Through: Mr. S.K. Anand, Advocate.
versus

DELHI POLICE PUBLIC SCHOOL
AND ORS

.....Respondents

Through: Mr. Manish Gupta, Mr. Himesh Dwivedi, Mr. Prateek Gupta, Mr. Sanjay Mangal, Mr. P.C. Gupta, Mr. Manoj Kumar Sharma, and Ms. Shipra Bhardwaj, Advocates for R-1 and R-3. Mr. Yeeshu Jain, Additional Standing Counsel with Ms. Jyoti Tyagi and Ms. Manshi Tanwar, Advocates for R-2.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
04.11.2024

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1. Learned counsel appearing on behalf of the Petitioner *inter alia* argues that the DPC held on 27.11.2015 considered the last 5 years ACRs of the Petitioner starting from the year 2010-11. He further submits that the benchmark for promotion to the post of Principal is 'Very Good' and as learnt by the Petitioner, his ACR for the period 2010-11 was 'Good' i.e. below the benchmark and therefore the uncommunicated below benchmark ACRs could not have been considered by the DPC in view of the law laid down by the Supreme Court in the case of *Dev Dutt v. Union of India and Others, (2008) 8 SCC 725*, and *Sukhdev Singh v. Union of India and Others, (2013) 9 SCC 566* and Division Bench of this Court in *UOI & Anr. v. V.S. Arora & Ors., 2012 SCC OnLine Del 3193*.

W.P.(C) 8991/2016

page 1 of 2



2. Learned counsel for the School seeks an adjournment to revert back with instructions if the ACR pertaining to the period 2010-11 and the other ACRs considered by the DPC were communicated to the Petitioner.
3. At request, list on 05.11.2024.

JYOTI SINGH, J

NOVEMBER 04, 2024/shivam

W.P.(C) 8991/2016

page 2 of 2