

P.Arumugam Vs. the Chief General Manager State Bank of Mysore and ors.

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Court : Chennai

Decided On : Jun-06-2011

Judge : P.Jyothimani, J.

Acts : [Constitution of India](#) - Article 226

Appeal No. : W.P.No.35204 of 2007

Appellant : P.Arumugam

Respondent : The Chief General Manager State Bank of Mysore and ors.

Advocate for Def. : Mr.J.Radhakrishnan; Mr.T.Venugopalan, Advs.

Advocate for Pet/Ap. : Mr.K.R.Vijayakumar, Adv.

Judgement :

1. The writ petition is directed against the order of the first respondent dated 22.10.2007, confirming the order of compulsory retirement passed against the petitioner by the second respondent dated 17.7.2007.

2.1. The petitioner was serving as a Manger in the Service Branch of the State Bank of Mysore, Chennai, under the control of respondents 4 and 5 at the time when the impugned order of compulsory retirement was passed against him as a punishment.

2.2. While he was working as a Manager, Audit (Mobile) Inspection Department, Bangalore, he was assigned the duty of inspection and audit of Sullia Branch of State Bank of Mysore for the period from 28.10.2005 to 19.11.2005. During the said period, for his stay in the hotel called Hotel Southern Residency, Sullia, he has claimed reimbursement of lodging bills and halting allowance for 22 days along with travelling allowances and the bill was passed.

2.3. It is stated that, during the course of his audit, he has exposed several irregularities at various branches regarding payment of overtime wages, etc. and it was due to that reason, according to the petitioner, respondents 7 to 12, who were officials of the Bank were ill-disposed against him. It was with that view disciplinary proceedings were initiated against the petitioner on the basis that he has made excess and illegal claim of lodging charges for 22 days. According to the management, when the petitioner has stayed only for 13 days in the said hotel from 7.11.2005 to 19.11.2005, the claim has been made in excess for the period between 28.10.2005 and 6.11.2005 on a wrong room tariff of ` 699/- per day, the actual room tariff being ` 450/- per day and therefore, an allegation was made that he has made an excess claim of ` 9,520/-.

2.4. A domestic enquiry was conducted by the third respondent which resulted in the impugned order of compulsory retirement passed by the second respondent and it is the case of the petitioner that the entire disciplinary proceeding has been erroneous and tainted with mala fide, since he found during auditing against respondents 7 to 12, who are actually the enquiry officers and, in fact, the seventh respondent, in the official capacity as the second respondent, has passed the impugned order of compulsory retirement.

2.5. The petitioner has filed an appeal against the said order before the first respondent and after an order passed by this Court in W.P.No.31034 of 2007, the first respondent passed an order refusing to give personal hearing to the petitioner. The first respondent, by order dated 11.7.2007, also refused to grant interim order pending the appeal and ultimately, passed the final order dated 22.10.2007.

2.6. It is the case of the petitioner that during the audit he has brought out many financial irregularities committed by the said respondents, including that payment of overtime wages was made even in circumstances where nobody has worked; that the ninth respondent had purchased a cheque for ` 3 Lakhs without prior approval or sanction of the competent authority; that the twelfth respondent was found to have committed serious irregularities to the tune of ` 71,56,000/-, in the sense that many of the demand promissory notes/primary agreements to the value of ` 5,11,432/- were missing and certain loans were sanctioned without proper security, etc., and in spite of bringing to light all those patent illegalities and irregularities, the eighth respondent has not taken any action and only attempted to victimize the petitioner and with that common desire the charge was levelled against him.

2.7. It is the case of the petitioner that, in fact, he has stayed in Room No.106 of the hotel from 28.10.2005 to 6.11.2005 (for 9 days) and it was due to the non working of the air conditioner, he has shifted to Room No.107 of the same hotel on 7.11.2005 and he stayed there up to 19.11.2005 (13 days) and there were advance receipts in respect of Room No.106 with vouchers and they were not considered.

2.8. The impugned orders are challenged by the petitioner on various grounds, including that they are illegal, perverse and mala fide; that the first respondent being the Appellate Authority has failed to exercise its jurisdiction vested with it due to the ill-advice of the other respondents; that no personal hearing was given during the time of appeal and there is violation of the principles of audi alteram partem; that no proper opportunity was given for the purpose of giving explanation after the report of the Enquiry Officer was furnished; that the available evidence to show that the petitioner has stayed in the hotel from 28.10.2005 to 19.11.2005 has not been considered properly; and that the order of the disciplinary authority, namely the second respondent, is a non speaking order.

3.1. In the counter affidavit filed by respondents 1 to 4, 6, 7, 10 and 11, a preliminary objection has been raised about the jurisdiction of this Court on the ground that the enquiry relating to certain acts of misconduct on the part of the

petitioner was conducted at Bangalore and if at all the petitioner is aggrieved, he can only approach the High Court of Karnataka.

3.2. It is stated that the impugned order of compulsory retirement passed by the second respondent was served on the petitioner while he was working in the fifth respondent branch at Chennai and that itself will not confer jurisdiction to this Court.

3.3. It is stated that the petitioner has claimed halting allowance by way of reimbursement of lodging bills on the ground that he has stayed in Hotel Southern Residency, Sullia between 28.10.2005 (10.15 P.M.) and 19.11.2005 (3 P.M.), while he was assigned the duty of inspection of Sullia Branch in Karnataka State. It is stated that the bill was also passed in favour of the petitioner, however the General Manager (Vigilance and Inspection) has received a note on 3.2.2006 from the Chief Manager (Inspection) that there are certain discrepancies in the T.A. Bill, tickets and lodging bill submitted by the petitioner. It is reported that the arrival date and time has been changed/rewritten in Lodging Bill No.664 and the Hotel has informed on verification over phone that the tariff of the room was ` 499/- per day and they have not informed the correct date and time of arrival of the petitioner.

3.4. It is stated that, on 31.12.2005, a revised bill was received from the petitioner with the change of room from Room No.107 to 106 and the bill amount was paid by deleting a day's halting allowance of ` 400/- claimed in excess of eligibility, viz., he was entitled to ` 25,230/- as against his claim of ` 25,630/-. It is stated that since the respondent/Bank is a public sector bank, there is no possibility of bias among the officers. There was an investigation ordered and in the investigation, serious irregularities were found out and the petitioner was found guilty only after following the service regulations.

3.5. It is stated that respondents 6 to 12 were arrayed by personal names and out of them respondents 7 to 9 have retired and respondents 6 to 9 are top officials of the management of the Bank and no one of them were aggrieved at the alleged exposure stated to have been made by the petitioner during the time of audit.

3.6. It is stated that the averment of victimization is false and the petitioner has been afforded more than ample opportunity to vindicate himself and the first respondent has duly considered the appeal on merits and passed the impugned order dismissing the appeal on 22.10.2007 and therefore, the allegation of victimization is denied and the very filing of the writ petition is stated to be a persecution mania after the order of the Appellate Authority. It is stated that, in fact, the irregularities pointed out by the petitioner have been considered and the Assistant General Manager (Inspection), in the letter dated 20.3.2006, has given due caution to the branch concerned that such irregularities pointed out should not reoccur and therefore, the bank has taken all necessary action and that has nothing to do with the disciplinary proceedings which relate to the conduct of the petitioner and there is no question of mala fide, ill-will or vindictiveness.

3.7. It is stated that as against the actual rent of ` 450/- per day paid for 13 days, the petitioner has claimed excess amount at ` 699/- per day and that was found out and moreover, he has claimed for a period of nine more days. The petitioner has first produced Bill No.664 (Ex.M2(e)) showing that he occupied Room No.107 for 22 days at the rate of ` 699/- per day and when there were alterations apparent on the same, he has produced another Bill No.437 (Ex.M2(d)) as if he occupied Room No.106 for 22 days and that would prove that his claim that he has stayed in Room No.106 from 28.10.2005 to 6.11.2005 and then shifted to Room No.107 from 7.11.2005 to 19.11.2005 is totally false.

3.8. It is stated that the petitioner has no right to represent in the disciplinary proceedings through a lawyer and therefore, the denial would not amount to violation of the principle of audi alteram partem. The certificate issued by the Deputy General Manager (Inspection) is only to show that the petitioner has audited branch from 28.10.2005 to 19.11.2005 and it is not evidence to the effect that he has stayed in the hotel for 22 days, as claimed by the petitioner.

3.9. It is stated that the disciplinary authority has passed the order of compulsory retirement on 17.7.2007 and the same was received by the petitioner on 30.7.2007 and has become effective from that date and therefore, there is no question of any salary accruing to him thereafter. It is further stated that part of loan arrears was

adjusted against his provident fund dues as per the loan documents, service and provident fund regulations and all other amounts due to him were never denied by the bank and hence, there is no violation of Article 21 of the [Constitution of India](#).

4.1. The sixth respondent, who is the Appellate Authority and has been arrayed in his individual name, has also filed a separate counter affidavit stating that personal motive has been imputed by the petitioner for the reasons best known to him and that apart, he has also denied the personal allegations levelled against him.

4.2. It is stated that the enquiry into the charges levelled against the petitioner relating to the act of misconduct and other commissions and omissions was conducted at Bangalore, State of Karnataka, when he was carrying on inspection in the State of Karnataka and therefore, no cause of action has arisen to invoke the jurisdiction of this Court.

5. That is also the stand of respondents 7 to 9, who have also filed separate counter affidavits.

6.1. Mr.K.R.Vijayakumar, learned counsel for the petitioner would submit that the entire disciplinary proceedings are intended to victimize the petitioner, since, in his audit report, the petitioner has found out many irregularities against various respondents.

6.2. It is his submission that while the petitioner has produced the bills for his stay in the hotel for a period of 22 days, of which nine days stay was in another room to which he shifted, the finding by the second respondent based on certain telephonic conversation with the hotel personnel without examining any of them as witnesses is illegal.

6.3. It is submitted that the charge is different from the reason for the punishment and that the principles of natural justice have not been followed properly. He has also relied upon the judgments in Ex.Rect. (MP) A.Madurai Veeran No.7779447K v. Union of India, rep. by its Secretary to Government, Ministry of Defence, New Delhi, 2006 (1) CTC 732 and Navinchandra N.Majithia v. State of Maharashtra and others, [2000] 7 SCC 640.

7.1. On the other hand, it is the contention of the learned counsel for the respondents that the bank has not been impleaded and therefore, for non joinder of necessary parties, the writ petition has to be dismissed. In this regard, reliance was placed on the decision in the Government of Tamil Nadu v. A.Vamadevan, 2001 (4) CTC 204.

7.2. It is their submission that this Court cannot have any jurisdiction for the simple reason that even though the petitioner was employed in the State Bank of Mysore at Chennai at the time when the disciplinary proceedings were initiated, the disciplinary proceedings were conducted only at Bangalore in respect of the act committed by the petitioner outside the jurisdiction of this Court and therefore, the filing of the writ petition before this Court is not proper and this Court has no jurisdiction. He would rely upon the decision in Alchemist Limited and another v. State Bank of Sikkim and others, 2008-1-LW 753.

7.3. It is also their submission that ample opportunity has been given and enquiry report has been furnished, which cannot be considered to be either perverse or unreasonable and therefore, even on the merits of the matter, the writ petitioner cannot have any grievance. It is submitted that sufficient opportunity has been given and it is not even the complaint of the petitioner that opportunity was not given. By relying upon the judgments in Bank of India and other v. T.Jogam, 2007 Lab. I.C. 4068, and Apparel Export Promotion Council v. A.K.Chopra, 1999 1 LLJ 962 (SC), it is submitted that the Appellate Authority need not give reasons once again.

8. I have heard the learned counsel for the petitioner and the learned counsel for the respondents and given my anxious thought to the issue involved in this case.

9. Since the respondents have raised the point of jurisdiction of this Court under Article 226 of the [Constitution of India](#) against the impugned orders of the second respondent as well as the first respondent, it is necessary to deal with the same at the first instance.

10. The original order of punishment was passed on 17.7.2007 by the second respondent at Bangalore and it is admitted that the copy of the order was served

on the petitioner while he was working in the State Bank of Mysore at Chennai and the impugned order was received by the petitioner at Chennai. The order of the first respondent dated 22.10.2007 was also served on the petitioner while he was working in Chennai, as it is seen in the covering letter of the tenth respondent dated 23.10.2007 enclosing the order of the first respondent dated 22.10.2007.

11. Under Article 226(2) of the [Constitution of India](#), which is as follows:

Article 226. Power of High Courts to issue certain writs.

(1) ***

(2) The power conferred by clause (1) to issue directions, orders or writs to any Government, authority or person may also be exercised by any High Court exercising jurisdiction in relation to the territories within which the cause of action, wholly or in part, arises for the exercise of such power, notwithstanding that the seat of such Government or authority or the residence of such person is not within those territories. the jurisdiction of this Court to issue writ is exercisable territorially when either part or whole of the cause of action has arisen within the jurisdiction of this Court, notwithstanding the fact that the seat of such government or authority is situated outside the territorial jurisdiction.

12. In fact, the said Article 226(2) of the [Constitution of India](#) was incorporated by the Fifteenth Amendment as Clause (1-A) to Article 226 and the same was subsequently renumbered as Clause (2) to Article 226 by the Forty-Second Amendment due to the judgment of the Supreme Court in Election Commission, India v. Saka Venkata Subba Rao, AIR 1953 SC 210, as it was explained by a Division Bench of this Court in Ex.Rect. (MP) A.Madurai Veeran No.7779447K v. Union of India, rep. by its Secretary to Government, Ministry of Defence, New Delhi, 2006 (1) CTC 732, in the followed words: 35. But a Constitution Bench of this Court has held in Election Commission, India v. Saka Venkata Subba Rao, AIR 1953 SC 210 thus--

The power of the High Court to issue writs under Article 226 the Constitution is subject to the two-fold limitation that such writs cannot run beyond the territories

subject to its jurisdiction and the person or authority to whom the High Court is empowered to issue such writs must be amenable to the jurisdiction of the High Court either by residence or location within the territories subject to its jurisdiction.

36. It was the said decision of the Constitution Bench which necessitated Parliament to bring the Fifteenth Amendment to the Constitution by which Clause (1-A) was added to Article 226. That clause was subsequently renumbered as Clause (2) by the Constitution Forty-Second Amendment. Now Clause (2) of Article 226 thus-- 226.(2) the power conferred by Clause (1) to issue directions, orders or writs to any Government, authority or person may also be exercised by any High Court exercising jurisdiction in relation to the territories within which the cause of action, wholly or in part, arises for the exercise of such power, notwithstanding that the seat of such Government or authority or the residence of such person is not within those territories.

13. In *Navinchandra N.Majithia v. State of Maharashtra and others*, [2000] 7 SCC 640, by referring to Article 226(2) of the [Constitution of India](#), it was held by the Supreme Court that even when part of the cause of action arose within the jurisdiction of the High Court, that High Court will have jurisdiction. In paragraph [17] of the judgment, it was held as follows: 17. From the provision in clause (2) of Article 226 it is clear that the maintainability or otherwise of the writ petition in the High Court depends on whether the cause of action for filing the same arose, wholly or in part, within the territorial jurisdiction of that Court. Therefore, the preliminary objection raised on behalf of the respondents about the jurisdiction is untenable.

14. As far as the next objection that the State Bank of Mysore has not been made as a party respondent, it is clear from the counter affidavit filed by the respondents that the impugned orders have been passed by them on behalf of the bank. The impugned order was passed by the second respondent, viz., the General Manager (Operations), as a disciplinary authority and he has been made as a party through the bank. Likewise, the first respondent, viz., the Chief General Manager, as an Appellate Authority, has passed the impugned order rejecting the appeal on behalf of the bank and therefore, the first respondent being the Appellate Authority has

been made as a party through the bank. Inasmuch as it is admitted by the said respondents that they have acted on behalf of the State Bank of Mysore and respondents 1 and 2 have passed orders as Appellate Authority and original disciplinary authority, merely because the bank is not mentioned as represented by the disciplinary authority or appellate authority, it does not make the writ petition not maintainable either by the wrong description of the parties names or otherwise.

15. Now, coming to the validity of the impugned orders, it is not the case of the petitioner that he was not given sufficient opportunity to defend himself. It is seen that against the petitioner the following two charges were framed:

(i) claimed lodging expenses for 22 days (from 28.10.2005 to 19.11.2005) against his actual stay of 13 days (from 7.11.2005 to 19.11.2005) as per hotel records furnished to us by the hotel; and

(ii) room tariff of ` 15378/- for 22 days at ` 699/- as against actual rent of ` 450/- per day (as per hotel records furnished by the hotel), and it is for the above said two charges which were framed, the petitioner has submitted his explanation and a detailed enquiry was conducted. Thereafter, an Enquiry Officer was appointed and a domestic enquiry was conducted by appointing a presenting officer on behalf of the management and, in fact, the petitioner was represented by his representative during the enquiry.

16. The records were perused and as per the records produced, especially Exx.M-5/a to e, the hotel records show that he has arrived on 7.11.2005 and departed on 19.11.2005, but the petitioner has claimed the charges for having stayed from 28.10.2005 to 19.11.2005. It was admitted that the audit was done between 28.10.2005 and 19.11.2005, but the question was only relating to the claim of bill. But, it has been the case of the petitioner during the enquiry that those bills marked as Exx.M2/b, M2/c, M4/a, M4/b, M5/a to e were not marked through the witnesses of the hotel and therefore, according to the petitioner, reliance was placed on the said documents which are not adequate. The Enquiry Officer has found that those documents which were the bills of the hotel were marked by the presenting officer without any objection from the defence and for the first time the allegation of fabrication of the documents was stated to have been raised and on

probabilities the Enquiry Officer has submitted a report, for which also the petitioner has submitted his remark again and thereafter, the impugned order came to be passed.

17. It is true that the second respondent, being the original authority, while passing the impugned order has not in detail analyzed everything threadbare for coming to a conclusion, but has crisply come to a conclusion that there has been a false claim and therefore, imposed the punishment of compulsory retirement. The second respondent could have better analyzed the report of the Enquiry Officer to come to such conclusion, but that itself is not sufficient, in my considered view, to hold that the finding of the second respondent is either perverse or illegal. The crux of the issue has been, in fact, considered by the second respondent while passing the impugned order, which is as follows: Being an official of Inspection Department, he had made a false claim of his halting allowance, stating that he had stayed for 22 days in the hotel at Sullia (from 28.10.2005 to 19.11.2005) during his inspection duty at Sullia Branch instead of his actual stay of 13 days (from 7.11.2005 to 19.11.2005). Further, he had also made a false claim of room tariff at Rs.699/- for 22 days against the actual rent at Rs.450/- per day for 13 days, paid by him. Therefore, it cannot be said that the order has been passed with non application of mind and moreover, the charges are very simple.

18. On the other hand, the first respondent, being the Appellate Authority, has considered in detail the contentions raised by the petitioner. The petitioner has raised the vital contention that no inspection was conducted in the hotel records and the Appellate Authority has come to a conclusion that such a plea was raised for the first time and never at the time of replying to the charges. The Appellate Authority has, in fact, also considered about the claim of the petitioner that the hotel records were fabricated and held that such question was never put to the bank witnesses by the petitioner and moreover, the petitioner himself has taken copies of the documents maintained by the hotel. The relevant portion of the finding of the Appellate Authority is as follows: 7. For the first time a contention is taken before the Disciplinary Authority while replying to the findings of the Enquiry Officer that inspection at the Hotel was never carried out and contenting that Enquiry Officer's report regarding inspection at Hotel is false and hence

biased, self contradictory, etc. This reply is not signed by the Defence Representative but it is signed only by the Appellant. I therefore disbelieve the contention of the Appellant that the inspection of documents and hotel records was never carried out or permitted. As regards the contentions that the Hotel records produced in the enquiry are fabricated, I reject the said contention for the reason that there was no such suggestion put to the Bank's witnesses and the Appellant himself has taken copies of the documents maintained by the Hotel and is relying on such documents. It is highly improbable that the Hotel Management would make available fabricated documents to the Bank relating to its records.

19. The Appellate Authority has also found that the documents show that he has audited the accounts of the branch from 28.10.2005 to 19.11.2005 and they do not establish that he has stayed in the hotel during the said dates, which is as follows:

8. As regards the contention that the defence exhibits establish that the Appellant has not preferred a claim which is false, I find that these exhibits merely indicate that the Appellant audited the Branch during the said period between 28.10.2005 and 19.11.2005. They do not establish that the Appellant stayed in the Hotel as claimed by him. Two receipts mentioned in the grounds of appeal were not produced in the enquiry. In any event advance receipt would only show that certain amount by way of advance is paid. As to how this advance was adjusted for the actual stay has to be established by the Appellant and the Appellant has failed to do so. Hence, reliance on the defence documents in my considered opinion has not disproved the charge against the Appellant. In such circumstances, there is no reason to come to a conclusion that the finding of the Appellate Authority is perverse.

20. The jurisdiction of this Court under Article 226 of the [Constitution of India](#) in the disciplinary proceedings is not like an appellate court to re-appreciate the evidence. Adequacy or inadequacy of evidence cannot be considered by this Court under Article 226 of the [Constitution of India](#), since there may be a case where a particular material may be interpreted in two ways, and it is not for this Court to substitute its view as against the view taken by the disciplinary authority. What is relevant is the way in which the proceedings have been initiated and not

the proceeding itself. To put it otherwise, it is in cases of material irregularity in conducting disciplinary proceedings like the violation of the principles of natural justice, not giving proper opportunity, perverse findings, and finding on case of no evidence, where the jurisdiction can be extended under Article 226 of the [Constitution of India](#). But the adequacy or inadequacy of evidence for the purpose of arriving at a conclusion either by the disciplinary authority or the appellate authority can never be the subject matter of the jurisdiction of the High Court under Article 226 of the [Constitution of India](#).

21. The same was also the law laid down by the Supreme Court in Apparel Export Promotion Council v. A.K.Chopra, 1999 I LLJ 962 (SC), where, while dealing with the power of judicial review of the High Court under Article 226 of the [Constitution of India](#) in the disciplinary proceedings, it was held that it is not the decision but the decision making process which alone can be the subject matter of judicial review, since it is not an appeal. It is relevant to extract paragraphs [16] and [17] of the said judgment: 16. The High Court appears to have overlooked the settled position that in departmental proceedings, the disciplinary authority is the sole judge of facts and in case an appeal is presented to the appellate authority, the appellate authority has also the power/and jurisdiction to re-appreciate the evidence and come to its own conclusion, on facts, being the sole fact-finding authorities. Once findings of fact, based on appreciation of evidence are recorded, the High Court in writ jurisdiction may not normally interfere with those factual findings unless it finds that the recorded findings were based either on no evidence or that the findings were wholly perverse and/or legally untenable. The adequacy or inadequacy of the evidence is not permitted to be canvassed before the High Court. Since the High Court does not sit as an appellate authority over the factual findings recorded during departmental proceedings, while exercising the power of judicial review, the High Court cannot, normally speaking, substitute its own conclusion, with regard to the guilt of the delinquent, for that of the departmental authorities. Even insofar as imposition of penalty or punishment is concerned, unless the punishment or penalty imposed by the disciplinary or the departmental appellate authority, is either impermissible or such that it shocks the conscience of the High Court, it should not normally substitute its own opinion and impose some other punishment or penalty. Both the learned Single Judge and the Division Bench of the High

Court, it appears, ignored the well-settled principle that even though judicial review of administrative action must remain flexible and its dimension not closed, yet the court, in exercise of the power of judicial review, is not concerned with the correctness of the findings of fact on the basis of which the orders are made so long as those findings are reasonably supported by evidence and have been arrived at through proceedings which cannot be faulted with for procedural illegalities or irregularities which vitiate the process by which the decision was arrived at. Judicial review, it must be remembered, is directed not against the decision, but is confined to the examination of the decision-making process. Lord Hailsham in *Chief Constable of the North Wales Police v. Evans*, 1982 (3) All ER 141 observed: The purpose of judicial review is to ensure that the individual receives fair treatment, and not to ensure that the authority, after according fair treatment, reaches, on a matter which it is authorized or enjoined by law to decide for itself, a conclusion which is correct in the eyes of the court.

17. Judicial review, not being an appeal from a decision, but a review of the manner in which the decision was arrived at, the court, while exercising the power of judicial review, must remain conscious of the fact that if the decision has been arrived at by the administrative authority after following the principles established by law and the rules of natural justice and the individual has received a fair treatment to meet the case against him, the court cannot substitute its judgment for that of the administrative authority on a matter which fell squarely within the sphere of jurisdiction of that authority.

22. As long as there is no procedural irregularity or illegality or denial of the principles of natural justice, it is not for this Court to interfere with the findings of both the authorities, as it was held by the Supreme Court in *Bank of India and other v. T.Jogam*, 2007 Lab. I.C. 4068.

In such view of the matter, the writ petition fails and the same is dismissed and the impugned orders of respondents 1 and 2 stand confirmed. No costs. Consequently, M.P.Nos.3 and 4 of 2007 and M.P.No.1 of 2008 are closed.

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