

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

D.B. Spl. Appl. Writ No. 79/2022

Gordhan Ram S/o Shri Ghewar Ram, Aged About 31 Years,
Resident Of Village Tigra (Ashapur), Post Kherisalwa, Tehsil Pipar
City, District Jodhpur (Rajasthan).

-----Appellant

Versus

1.

Union Of India, Through Secretary To The Government,
Department Of Home Affairs, Government Of India, New
Delhi.
2.

Director General, Central Industrial Security Force,
C.i.s.c. Headquarter, Block No. 13, C.g.o. Complex, Lodhi
Road, New Delhi 110003.
3.

Inspector General, Central Industrial Security Force, Cs
Headquarter, Bhilai (Chattisgarh).
4.

Commandant, Office Of Deputy Inspector General, Central
Industrial Security Force, Secl, C.s.i.f. Unit, Bilaspur, Post
Kusmunda Colliery, District Korba (Chattisgarh).

-----Respondents

For Appellant(s)

:

Mr. Ankit Choudhary

For Respondent(s)

:

Mr. Dilip Kawadia
Ms. Nidhi Singhvi

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment

1. Date of conclusion of arguments	24.09.2025
2. Date on which judgment was reserved	24.09.2025
3. Whether the full judgment or only the operative part is pronounced:	Full judgment
4. Date of pronouncement	10.12.2025

Per Dr. Pushpendra Singh Bhati, J:

1.

The present special appeal has been preferred claiming the
following reliefs:

"(a) That this special appeal filed by the appellant /writ-petitioner may kindly be allowed and the impugned Order dated 18.01.2022 passed by the learned Single Judge in the aforesaid writ petition may kindly be quashed and set aside.

(b) by an appropriate order, impugned Termination Notice dated 20.06.2018 (Annx.7 of WP) as well as consequential Orders dated 23.08.2018 (Annx.9 of WP) issued by the respondent No. 4 and dated 28.09.2018 passed by the appellate authority i.e. IG, CISF (CS) Hgrs, Bhilai may kindly be declared illegal and accordingly, be also quashed and set aside.

(c) by an appropriate writ, order or direction, respondent authorities may kindly be directed to reinstate the appellant/writ-petitioner in service on the post of Constable (G.D.) with all other consequential benefits including arrears of pay and seniority, as per rules forthwith.

(d) Any other appropriate order, which this Hon'ble Court deems just and proper in the facts and circumstances of the case may kindly be passed in favour of the appellant.

(e) That cost of appeal may please be awarded in favour of the appellant."

2. The brief facts as noticed by this Court are that the appellant applied for recruitment to the post of Constable (General Duty) pursuant to the advertisement issued for CAPFs and Rifleman (Assam Rifles) in the year 2015. Upon submission of his online application and successful participation in the prescribed medical and written examinations, he was allotted Mundali Battalion-I for basic training and was directed to report on 04.04.2017 at Kharavela Recruit Training Centre, Mundali (Odisha). The appellant completed the basic training, and upon verification of his educational documents and the character and antecedent

certificate issued by the local police authorities, he was appointed on 21.04.2017 and placed on probation for two years.

2.1. Prior to recruitment, FIR No. 349/2012 had been registered against the appellant at Police Station Dangiyawas, District Jodhpur, for offences under Section 3/6 of the Rajasthan Public Examination (Prevention of Unfair Means) Act, 1992, and Section 420 IPC. After investigation, a charge-sheet was filed for the offence under Section 420 IPC; however, by order dated 01.10.2014 passed by the learned Metropolitan Magistrate No. 4, Jodhpur Metropolitan, the appellant was discharged from the said proceedings. The Police Verification Certificate dated 17.03.2017 issued by the Assistant Commissioner of Police, Jodhpur, disclosed the said FIR and the discharge order, and the appellant was appointed thereafter.

2.2. After the appellant had served for approximately sixteen months, a termination notice dated 20.06.2018 was issued under Rule 25(2) of the CISF Rules, 2001, stating that the appointing authority was of the opinion that he was not fit for permanent appointment and, therefore, his services were liable to be terminated upon expiry of one month. The appellant received the notice on 24.07.2018 and submitted a representation dated 26.07.2018 seeking withdrawal of the notice. Without consideration of the said representation, an order dated 23.08.2018 was issued terminating his services with effect from the afternoon of the same date.

2.3. During pendency of the writ proceedings, the respondents rejected the appellant's representation vide order dated 28.09.2018 passed by the Inspector General, CISF, treating it as an appeal under the CISF Rules. The appellant challenged the termination notice and the consequential termination order in S.B. Civil Writ Petition No. 14556/2018, which came to be dismissed by order dated 18.01.2022, leading to the present special appeal.

3. Mr. Ankit Choudhary, learned counsel for the appellant submitted that the learned Single Judge erred in dismissing the writ petition on the ground of non-maintainability on the premise that the appellant had not challenged the order dated 28.09.2018 passed by the Inspector General, CISF, Bhilai. It was urged that the appellant received the termination notice dated 20.06.2018 only on 24.07.2018, whereafter he promptly submitted a representation dated 26.07.2018. As the said representation was neither decided nor any communication was made to him, he was constrained to file the writ petition laying a substantive challenge to the termination notice dated 20.06.2018 as well as the consequential termination order dated 23.08.2018. Learned counsel submitted that the order dated 28.09.2018 was passed during the pendency of the writ petition and came to the knowledge of the appellant only upon service of reply; in such circumstances, non-amendment of the writ petition to specifically assail the said order could not render the writ petition itself non-maintainable.

3.1. Learned counsel further submitted that on a true and conjoint reading of Rules 34, 25 and 46 of the Central Industrial Security Force Rules, 2001, the so-called “appeal” before the Inspector General was not even a statutory appeal in the eye of law. It was contended that Rule 46 permits an appeal only against orders imposing penalties specified in Rule 34; Explanation (h) to Rule 34, however, expressly clarifies that termination of service of a probationer under Rule 25 shall not amount to a penalty. In such a situation, no statutory appeal lay; treating the representation as an appeal and then using absence of challenge thereto as a ground of non-maintainability, it was argued, was wholly misconceived.

3.2. On merits, learned counsel for the appellant submitted that the appellant had throughout acted with full transparency and had not concealed his past criminal case at any stage. FIR No. 349/2012 under Section 3/6 of the Rajasthan Public Examination (Prevention of Unfair Means) Act, 1992 and Section 420 IPC resulted in filing of a charge-sheet, but by order dated 01.10.2014 passed by the competent criminal court, the appellant was discharged of the offence under Section 420 IPC, well before the advertisement in question. This fact, along with complete particulars of the FIR and discharge, was specifically mentioned in the Police Verification Certificate dated 17.03.2017. Learned counsel submitted that only after due scrutiny of the said certificate and other documents did the respondents issue joining instructions and appoint the appellant as Constable (GD) on probation; once the employer, fully aware of the antecedents,

consciously took a decision to appoint and continued the appellant in service for sixteen months, it was not open to turn around and brand him “unsuitable” on the very same material without any supervening cause.

3.3. Learned counsel also submitted that the invocation of Rule 25(2) of the CISF Rules, 2001, in the facts of the present case, was arbitrary and violative of principles of natural justice. While Rule 25 may permit discharge of a probationer on the ground of unsuitability in a simpliciter manner, in the appellant’s case the so-called opinion of unsuitability rests squarely on an alleged act of cheating in an examination and a prior criminal case. It was contended that the foundation of the action was thus stigmatic, casting a serious aspersion on the appellant’s integrity; in such a situation, an opportunity of hearing and at least a minimal inquiry were mandatory before terminating his services. The termination notice dated 20.06.2018 and the order dated 23.08.2018 were said to be completely non-speaking, bereft of reasons, and passed without affording any pre-decisional hearing, thereby offending the audi alteram partem rule.

3.4. Assailing the reliance placed by the respondents and the learned Single Judge on the decision of the Standing Screening Committee, learned counsel for the appellant submitted that the order dated 14.05.2018 of the Committee is itself non-speaking and discriminatory. It was pointed out that two cases were placed before the Committee – including that of one Suraj Kumar and the present appellant. In the case of Suraj Kumar, the Committee

found him suitable for appointment in CISF, whereas the appellant was held "unsuitable", without disclosing any distinguishing reasons or objective criteria. Learned counsel submitted that such a bare conclusion, unsupported by reasons and arrived at without affording the appellant any opportunity of being heard, is arbitrary, violative of Article 14 and contrary to basic principles of fair play.

3.5. Learned counsel further submitted that the respondents' stand that the appellant's case was "noticed" only during training is factually untenable, inasmuch as the Joining Details themselves required production of a character and antecedents certificate, which was indeed supplied, and the police verification reports of 2017 explicitly mentioned the prior FIR and discharge. It was urged that the respondents are attempting to portray as a later discovery what was always within their knowledge, thereby misleading the Court.

3.6. Placing reliance on the judgment of the Hon'ble Supreme Court in ***Avtar Singh v. Union of India (2016) 8 SCC 471*** and on the Division Bench judgment in ***Union of India & Ors. v. Kamal Singh Meena (D.B. Spl. Appl. Writ No. 990/2016)***, learned counsel submitted that where an antecedent criminal case has culminated in acquittal or discharge, especially for an offence of a relatively less serious nature, and where the candidate has not suppressed any material fact, the employer is required to exercise its discretion reasonably and cannot impose a lifelong disqualification on that basis alone. It was argued that the ratio in

Kamal Singh Meena(supra) (as affirmed in appeal) is squarely attracted, and the appellant, whose case stands on a better footing – having disclosed everything and having been discharged even prior to the advertisement – deserves reinstatement with consequential benefits.

3.7. Learned counsel also relied upon the decision of this Court in **Arjunram v. State of Rajasthan & Ors. (S.B. Civil Writ Petition no. 10819/2010 decided on 05.07.2011)**, wherein cancellation of selection for a petty offence attracting a minor fine was quashed, and it was held that a candidate cannot be debarred for life for such trivial involvement. It was submitted that an isolated case under Section 420 IPC arising out of an examination-related allegation, in which the appellant has been discharged, cannot be treated as a grave offence of moral turpitude so as to permanently brand him unfit for uniformed service, particularly after the respondents themselves have permitted him to undergo training and serve for sixteen months without any complaint in service.

3.8. Distinguishing the judgment in **Union Territory, Chandigarh Administration & Ors. v. Pradeep Kumar [(2018) 1 SCC 797]**, heavily relied upon by the learned Single Judge, learned counsel contended that **Pradeep Kumar(supra)** proceeded on the premise of a reasoned and bona fide assessment by the Screening Committee, whereas in the present case the Committee's order is non-speaking, discriminatory vis-à-vis a similarly situated candidate, and vitiated by non-observance

of the audi alteram partem rule. It was thus urged that the blanket deference to the Screening Committee contemplated in **Pradeep Kumar(supra)** is not attracted to a fact situation where the Committee's decision itself is arbitrary and unreasoned.

3.9. On these broad submissions, learned counsel for the appellant prayed that the impugned order of the learned Single Judge, as also the termination notice dated 20.06.2018, the termination order dated 23.08.2018 and the order dated 28.09.2018 passed by the Inspector General, CISF, be quashed, and that the appellant be reinstated on the post of Constable (GD) with all consequential benefits.

4. Per contra, Mr. Dilip Kawadia and Ms. Nidhi Singhvi Learned counsel for the respondents submitted that no interference with the impugned order of the learned Single Judge is warranted either on the ground of maintainability or on merits.

4.1. It was submitted that the appellant was only a probationer, having been provisionally appointed as Constable (GD) in CISF on 04.04.2017 and kept on probation for a period of two years as per CISF KRTC Mundali Service Order Part-I No.11/2017 dated 21.04.2017. In terms of Rule 25(2) of the Central Industrial Security Force Rules, 2001, the appointing authority is expressly empowered to terminate the services of a probationer by giving one month's notice or pay in lieu thereof, if it forms an opinion that such probationer is not fit for permanent appointment. It was urged that the impugned action is a termination simpliciter of a probationer on the ground of unsuitability and not by way of

punishment, and therefore no detailed inquiry or prior hearing was required.

4.2. Learned counsel submitted that during service, on receipt of character and antecedent reports from the District Magistrate, Jodhpur and the Commissioner of Police, Jodhpur in 2017, it emerged that a criminal case No. 349/2012 under Section 420 IPC and Sections 3 and 6 of the Rajasthan Public Examination (Prevention of Unfair Means) Act, 1992 had been registered against the appellant at Police Station Dangiyawas, in which a charge-sheet had been filed. Although the appellant was later acquitted/discharged by order dated 01.10.2014, the fact remained that he had been involved in a cheating-in-examination case, which goes directly to his integrity and honesty. It was submitted that in a disciplined Armed Force of the Union like CISF, deployed at highly sensitive installations such as atomic power projects, space establishments, airports, metro systems and critical industrial units, the standards of integrity are required to be of the highest order and even a past incident of examination malpractice is a relevant and weighty factor for adjudging suitability.

4.3. Learned counsel further submitted that in compliance with CISF policy, the appellant's case was placed before the Standing Screening Committee constituted at CISF Headquarters to consider such antecedent cases. The Standing Screening Committee, after examining the relevant material, took a considered view that the appellant was "unsuitable for

appointment in CISF”, and its recommendation was duly approved by the competent authority (ADG/CISF) and communicated to the field formation. Acting on the said decision, the Sr. Commandant, CISF Unit SECL, Bilaspur, issued termination notice dated 20.06.2018 under Rule 25(2), followed by termination order dated 23.08.2018 after expiry of the one month notice period. It was contended that the opinion of the Standing Screening Committee on suitability is an expert and administrative assessment, entitled to deference and not to be lightly interfered with in writ jurisdiction, particularly in the absence of any material to allege mala fides.

4.4. On the issue of natural justice, learned counsel submitted that termination of a probationer under Rule 25(2) is not by way of penalty, and that the CISF Rules themselves, read with Rule 34 Explanation (h), make a clear statutory distinction between punitive penalties and termination of probationary service on the ground of unsuitability. In such a case, a full-fledged departmental inquiry is not envisaged. It was further pointed out that the appellant was put to notice by the termination notice dated 20.06.2018 and, in fact, availed the opportunity by submitting a detailed representation dated 26.07.2018. The said representation was duly considered by the Inspector General, CISF (CS) Headquarters, Bhilai, in exercise of powers under Rule 26 of the CISF Rules, who, by order dated 28.09.2018, found no reason to differ with the decision of the Screening Committee and rejected the representation as devoid of merit. It was argued that, in this backdrop, the plea of breach of natural justice is wholly untenable.

4.5. As regards maintainability, learned counsel for the respondents submitted that once the competent authority had passed a reasoned order dated 28.09.2018 on the appellant's representation/appeal, affirming the termination and recording that the Standing Screening Committee had acted as per guidelines, the said order attained finality in the absence of any challenge. It was contended that the writ petition filed by the appellant only questioned the termination notice dated 20.06.2018 and the consequential order dated 23.08.2018, without even laying a foundation to assail the subsequent order dated 28.09.2018. In such circumstances, the learned Single Judge rightly held that the writ petition was not maintainable and could not be used to indirectly unsettle an unchallenged and subsisting order of the competent authority.

4.6. On the legal position, learned counsel placed strong reliance on the judgment of the Hon'ble Supreme Court in ***Pradeep Kumar(supra)***, wherein it has been held that: (i) acquittal in a criminal case does not automatically entitle a candidate to appointment; (ii) the employer is entitled to consider antecedents and overall suitability; (iii) a person to be recruited to police/armed forces must be of impeccable character and integrity; and (iv) the decision of the Screening Committee on suitability must be treated as final unless shown to be mala fide. It was submitted that the learned Single Judge has correctly applied this ratio to the facts of the present case, there being no material to show mala fides or perversity in the Screening Committee's assessment.

4.7. Learned counsel also controverted the appellant's reliance on ***Avtar Singh(supra)*** and ***Kamal Singh Meena (supra)***, submitting that those decisions turn on their own facts and primarily concern cases of alleged suppression/false declaration and subsequent acquittal. In the present case, the issue is not concealment but the substantive suitability of a person who has admittedly faced a criminal case for examination cheating to continue in a highly sensitive armed force. It was argued that ***Avtar Singh (supra)*** itself recognizes the wide discretion of the employer to refuse appointment even where the candidate has made a truthful disclosure, if the antecedents are found not compatible with the nature of post.

4.8. It was lastly submitted that the appellant cannot claim any vested right to continue in service merely because he underwent training and served for about sixteen months on probation. The very concept of probation, it was urged, is to assess suitability during this period, and once the competent authorities, on the basis of a structured process involving the Standing Screening Committee, have formed an opinion that the appellant is not fit for permanent appointment, the scope for judicial review is extremely narrow. On these premises, learned counsel prayed that the special appeal, being devoid of merit, be dismissed and the judgment of the learned Single Judge, as well as the orders passed by the CISF authorities, be affirmed

5. Heard learned counsel for the parties as well as perused the material available on record and perused judgments cited at the bar.

5.1. This Court first addresses the issue of maintainability

5.1.1. The learned Single Judge dismissed the writ petition, inter alia, on the ground that the appellant had not challenged the subsequent order dated 28.09.2018 passed by the Inspector General, CISF, rejecting the representation.

5.1.2. This Court is of the considered view that the writ petition could not have been dismissed as non-maintainable merely because the appellant had not questioned the order dated 28.09.2018. The said order came into existence after the filing of the writ petition. Thus, it would not have been possible for the appellant to challenge the said order at the time of institution of the writ petition. Where the foundational action—namely, the termination notice dated 20.06.2018 and the consequential termination order dated 23.08.2018—was already under challenge, a subsequent order merely affirming the original action does not defeat the maintainability of the petition.

5.1.3. Accordingly, this Court holds that the writ petition was maintainable and that dismissal on the ground of non-maintainability was unwarranted.

6. This Court now proceeds to examine the matter on merits.

6.1. It is undisputed that the appellant was appointed as Constable (GD) on 04.04.2017 and remained a probationer at all relevant times. His appointment, tenure, and continuation were governed by Rule 25 of the Central Industrial Security Force Rules, 2001 ("CISF Rules"). Rule 25(2) reads as follows:

"If during the period of probation the appointing authority is of the opinion that a member of the Force is not fit for permanent appointment, the appointing authority may discharge him or terminate the services from the Force after issue of notice of one month or after giving one month's pay in lieu of such notice, or revert him to the rank from which he was promoted or repatriate to his parent department as the case may be. "

6.2. This Court observes that termination under Rule 25(2) is a termination simpliciter, based on administrative satisfaction as to the suitability of a probationer for permanent appointment. By virtue of the Explanation (h) to Rule 34, termination under Rule 25 does not constitute a penalty, thereby not attracting the procedural rigours applicable to punitive action.

6.3. The material placed before the Court shows that:

- The appellant was involved in FIR No. 349/2012 for offences under Section 3/6 of the Rajasthan Public Examination (Prevention of Unfair Means) Act, 1992 and Section 420 IPC.
- Although he was discharged on 01.10.2014, the incident pertained to cheating in an examination—an act that directly reflects upon integrity, an indispensable attribute for service in an armed force such as the CISF.

- The appellant's case was considered by the Standing Screening Committee, constituted for the purpose of evaluating suitability based on antecedents.
- The Committee found the appellant "unsuitable for appointment in CISF", and the competent authority duly approved the recommendation.
- Acting on such approval, the appointing authority invoked its power under Rule 25(2).

6.4. This Court observes that the Central Industrial Security Force is a specialized armed force of the Union, entrusted with the protection of highly sensitive, strategic and critical infrastructure installations, including nuclear establishments, aerospace facilities, airports, metro systems, and major public sector undertakings. In such a disciplined force, the attributes of integrity, honesty, trustworthiness and unimpeachable character are not merely desirable but are foundational. The standards of suitability for induction and retention necessarily require a stricter and elevated threshold in comparison to civil employment. In Union Territory, Chandigarh Administration v. Pradeep Kumar, (2018) 1 SCC 797, the Hon'ble Supreme Court emphasised that:

"The police force is a disciplined force. It shoulders the great responsibility of maintaining law and order and public order in the society. People repose great faith and confidence in it. It must be worthy of that confidence. A candidate wishing to join the police force must be a person of utmost rectitude. He must have impeccable character and integrity. A person having criminal antecedents will not fit in this category. Even if he is acquitted or discharged in the criminal case, that

acquittal or discharge order will have to be examined to see whether he has been completely exonerated in the case because even a possibility of his taking to the life of crimes poses a threat to the discipline of the police force. The Standing Order, therefore, has entrusted the task of taking decisions in these matters to the Screening Committee. The decision of the Screening Committee must be taken as final unless it is mala fide."

These observations apply with equal, if not greater, force to the CISF, an armed force guarding sensitive national assets.

6.5. This Court notes that the Hon'ble Supreme Court has, in a consistent line of judgments, reiterated that even when a candidate truthfully discloses a prior criminal case or has been subsequently acquitted/discharged, the employer retains an independent right to assess antecedents and determine suitability. The three-Judge Bench in ***Avtar Singh v. Union of India, (2016) 8 SCC 471***, held:

Para 34: "No doubt about it that verification of character and antecedents is one of the important criteria to assess suitability and it is open to employer to adjudge antecedents of the incumbent, but ultimate action should be based upon objective criteria on due consideration of all relevant aspects. "

Para 38.5: "In a case where the employee has made declaration truthfully of a concluded criminal case, the employer still has the right to consider antecedents, and cannot be compelled to appoint the candidate."

These principles were reaffirmed in ***Ravindra Kumar v. State of U.P., (2024) 5 SCC 264***, where the Court reiterated that acquittal or discharge does not create an automatic right to public

employment and that the nature of the post and the sensitivity of duties are determinative.

6.6. Further, in **Satish Chandra Yadav v. Union of India, (2023) 7 SCC 536**, the Hon'ble Supreme Court emphasised:

Para 93.1: *"Each case should be scrutinised thoroughly by the public employer concerned, through its designated officials — more so, in the case of recruitment for the Police Force, who are under a duty to maintain order, and tackle lawlessness, since their ability to inspire public confidence is a bulwark to society's security. "*

Para 93.2: *"Even in a case where the employee has made declaration truthfully and correctly of a concluded criminal case, the employer still has the right to consider the antecedents, and cannot be compelled to appoint the candidate. The acquittal in a criminal case would not automatically entitle a candidate for appointment to the post. It would be still open to the employer to consider the antecedents and examine whether the candidate concerned is suitable and fit for appointment to the post "*

Para 93.4: *"The generalisations about youth, career prospects and age of the candidates leading to condonation of the offenders' conduct, should not enter the judicial verdict."*

These principles foreclose any argument that the discharge of the appellant or his truthful disclosure mandate the CISF to retain him.

6.7. In the present case, the antecedent incident relates to alleged examination malpractice, an act which, regardless of the subsequent discharge, bears directly upon the attribute of integrity. Integrity is the core value for induction into a uniformed force such as the CISF. Applying **Avtar Singh(supra)** and **Satish Chandra Yadav(supra)**:

- **The antecedent was not trivial within the meaning of *Avtar Singh*, para 38.4.1;**
- **It involved an allegation of cheating, squarely falling within para 38.4.2, permitting the employer to treat the candidate as unsuitable;**
- **Truthful disclosure does not curtail the employer's discretion (para 38.5);**
- **Suitability assessment for uniformed forces requires heightened scrutiny (para 36).**

6.8. This Court further notes that appellant's case was placed before the Standing Screening Committee, an expert administrative body designated for such evaluation, and such assessments must ordinarily be accorded deference unless tainted by mala fides, bias, arbitrariness or perversity. In the present case this Court does not find any material to suggest mala fides, arbitrariness, or perversity in the Committee's assessment. The nature of the antecedent, cheating in an examination, goes directly to issues of trustworthiness and integrity. Such considerations fall squarely within the domain of the employer's administrative discretion under Rule 25(2).

6.9. As regards the plea of discrimination vis-à-vis one Suraj Kumar, this Court finds that no substantial material has been produced to demonstrate parity of facts, identity of allegations, or similarity in antecedent nature. A bare assertion that another candidate was favoured does not discharge the burden of proving discrimination under Article 14.

6.10. The appellant's argument that he served for sixteen months in probation and performed satisfactorily does not fetter the statutory discretion of the appointing authority when the very purpose of probation is to evaluate suitability.

7. Thus this Court, upon considering the rival submissions, the material placed on record, and the applicable legal principles, is of the considered view that no interference is warranted with the appellant's termination under Rule 25(2) of the CISF Rules, 2001. The decision of the Standing Screening Committee and the consequent termination order do not suffer from any illegality, arbitrariness or perversity.

8. Accordingly, the special appeal is devoid of merit and is hereby ***dismissed***.

(BIPIN GUPTA),J

(DR.PUSHPENDRA SINGH BHATI),J

SKant/-