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

+ **Date of Decision: 09.09.2014**

% **W.P.(C) 5987/2014 and C.M. No. 14584/2014**

MANOJ KUMAR ..... Petitioner

Through: Mr. Sachin Chauhan, Advocate.

versus

THE COMMISSIONER OF POLICE,  
DELHI POLICE AND ORS ..... Respondents

Through: Ms. Ferida Satarawala, Advocate for  
respondents No.1 & 2/ GNCTD.

**CORAM:**  
**HON'BLE MR. JUSTICE S. RAVINDRA BHAT**  
**HON'BLE MR. JUSTICE VIPIN SANGHI**

**S. RAVINDRA BHAT, J. (OPEN COURT)**

1. The petitioner is aggrieved by an order of the Central Administrative Tribunal (CAT/ Tribunal) dated 24.09.2013 passed in O.A. No.3044/2012. The grievance made before the CAT was that the petitioner was unfairly denied employment even though he was selected to the post of Constable (Driver) with the Delhi Police.

2. The undisputed facts are that the petitioner participated in the recruitment process, pursuant to the advertisement inviting applications from eligible candidates in respect of the post of Constable (Driver), to which he applied on 17.03.2009. He was placed in the select list published

subsequently. Concededly the petitioner also cleared the driving/ trade test, conducted by the respondent Department of the Commissioner of Police. The recruitment process resulted in the drawing up of a select list of 220 candidates. However, before issuance of appointment letter, the respondents sought verification of the information furnished by the applicants, including the petitioner. At the stage of verification, the respondents formed an opinion that the driving license for Heavy Motor Vehicle (HMV), relied upon by the petitioner, was dubious. This was based upon preliminary information received by the employer. The petitioner was served with a show-cause notice on 21.07.2010, which ultimately culminated in the order dated 28.12.2010, rejecting the representation received and cancelling his candidature. On that account, the petitioner – and apparently the other candidates approached the CAT. The petitioner's application, being O.A. No.345/2011, was disposed of on 18.05.2011 by an order which required the employer to give appropriate opportunity to reply to the show-cause notice to the concerned candidate, and after due inquiry, pass a speaking order based on cogent reasons. Consequently, the petitioner was again served a show-cause notice dated 06.07.2011, to which he responded. This was rejected by an elaborate speaking order dated 29.09.2011. This was the subject matter of the latest challenge before the Tribunal, through an unsuccessful application.

3. The Tribunal by its elaborate order took into consideration the submissions made by the petitioner and all other applicants before it. It considered and set out *in extenso* the report received by the Chief Secretary, UP, from the appropriate transport department of UP – the agency which is

stated to have issued all the licenses. The said report dated 04.09.2010 was prominently relied upon by the public employer (the respondent).

4. Learned counsel urged that the impugned order has not taken into consideration the inherent inconsistencies in the report relied upon by the respondent employer. Highlighting that there were different versions about the veracity of the license issued to the petitioner, and reasons why driving licenses of several candidates were sought to be suspended, it was stated that there was no material on record to suggest that the petitioner had practiced fraud, or had forged the documents relied upon by him. It was submitted that, concededly, the authorities had initiated criminal proceedings, and fairness demanded that the public employer should await the outcome of such proceedings before taking a final decision.

5. Emphasizing that the petitioner had been subjected to a very rigorous test, in which he qualified to the post of Driver, learned counsel submitted that the decision to cancel his candidature was arbitrary. It was submitted that it would be erroneous to adopt the reasoning that absence of a record to show fee deposit, creates a cloud on the genuineness of license fee, as that can hardly be a criterion to determine whether the driving license was indeed issued by the concerned authority. In this context, it is submitted that the concerned authority, which furnished the report, itself was of the opinion that its records were tampered with. Therefore, to distinguish genuine cases from forged ones was an impossible task, and the respondent ought to have taken this into consideration and not passed a blanket order, which in this case has resulted in the prejudicial order. It is also argued that the impugned order cancelling the appointment was a non-speaking order.

6. This Court has considered the materials on record and submissions of the parties. We notice that the Tribunal in this case analyzed – in great detail, the inquiry report which was placed before it. That inquiry report had been taken into consideration by Police Commissioner, while passing the impugned order cancelling the petitioner’s candidature. The relevant part of the said order of the CAT reads as follows:

*“The enquiry report after scrutinizing the records is forwarded as below:-*

*1. The position of 220 Driving Licenses in reference of above letter dated 04.05.2010 of Asstt. Divisional Transport Officer (Administration) (Signed list of Passenger Tax Officer, Mathura and other officials is enclosed):-03 Driving Licenses Sr. NO-29, 168, 184) issued as per rule. Page numbering of Driving License marked at Sr. NO-184 not done as Commercial Licence by Mathura Office.*

*The entry of 21 Driving Licenses (Sr. No. 04, 07, 13, 14, 55, 59, 72, 81, 91, 139, 145, 148, 152, 154, 180, 182, 187, 199, 208, 209, 216) found in records but fees were not deposited while issuing of license. So, theses licenses are not valid. It is to point out that issuing date of Linceses at Sr. NO-154& 209 was Sunday/Holiday.*

*The license number of 08 driving licenses (Sr. No-09, 78, 95, 133, 138, 164, 177, 212) not related to license number issued on that date, so entries not exists in record.*

*188 Driving Licenses (remaining list) issued to another person instead of mentioned list.*

*2. It is found after scrutinizing the records that Driving licenses Number were allotted on the year wise basis by Mathura Office i.e. 01 Sr. No. driving license allotted on first day of year and register was not closed on last day of the year and on next day Sr. No.01 has been allotted i.e. first day of the year. It may be*

*possible that there should not be bad intention behind it but personnel have gain illegal profit from this which is clear from above bullet point -03 from driving licenses marked at 09, 78, 95, 133, 138, 164, 177, 212.*

*3. Register of less pages were generally used, some registers have only 45 pages for example Register No-107 & 110 of year 2006. Similarly, register No-38 of year 2006 have found only 11 pages. Actually register have more pages but pages were tear and bind.*

*4. Many register were prepared in a year. As 90 Nos. in 2006, 120 Nos. in 2007 and 42 Nos. in 2008 etc. And many registers were used side by side and moreover one Sr.No. used for more than one licences for example License No- 3418/MTR/07 of Register No-23/08 was issued to Radhey Chaudhary, however the same licence Sr. No. of Register No- 24/167 was issued to Sh. Israrrul Haq.*

*5. Register No-21 related to year 2008 in which entry of Driving Licenses No-19159 (Sh. Tejvir Singh S/o Sh. Ramji Lai validity dated 31.12.08 to 31.12.28) to Driving Licence No. 19208 (Sh. Pankaj S/o Sh. Sitav Lal) are made have only 60 pages and remaining approx. 132 pages were bind as register with the help of needle and thread.*

*6. The. same serial number of driving licenses issued in same year were found in many register, for which one driving license number issued to various persons. Serial number-39 of year 2007 marked as Driving License Number- 9827/MTR/07 were found in following 03 registers, the details of persons to whom driving license issued is given below:-*

*Register No./*

*Page No. Name of License Holder Validity Pagination*

*65/21 related to year 2007 Sh. Sandeep Sharma S/o Sh. Mangey Ram Sharma 11.07.07 to 10.07.2027 18.08.2008*

67/73 related to year 2007 Sh. Yashpal s/o Sh. Devi Charan  
13.02.07 to 12.07.2027-66/ related to year 2007 (no. of pages  
are not mentioned) Sh. Wasim Akram S/o Sh. Din Mohammad  
11.07.07 to 10.07.2027

Similarly Driving Licenses No-15, 237/M/07 dated 15.11.2007  
mentioned at Sr. No-61 of year 2007 shown as issued to Sh.  
Ashok Kumar S/o Sh. Bal Kishan near Sadar, Mathura but  
following 03 persons are also issued driving licenses, the  
details of which given below:-

Register No./

Page No. Name of License Holder Validity Pagination

108/104 related to year 2007 Sh. Anil Kumar S/o Sh. Mahtab  
27.10.2007 to 26.10.2027-107/related to year 2007 (no. of  
pages are not mentioned) Sh. Suresh Kumar S/o Sh. Dhanpat  
24.10.2007 to 23.10.2027 15.12.2008 109/246 related to year  
2007 Sh. Babloo s/o Sh. Man Singh 24.10.2007 to 23.10.2027

Similarly Register No-100 related to year 2007 mention at Sr.  
No-94 of list shown as Driving License No- 14582/M/07 issued  
on 15.11.2007 and pagination as commercial licenses shown  
on 18.12.2008 and issued to Sh. Hari Parkash S/o Sh.  
Dharamvir Near Krishna Nagar, Mathura but following 03  
persons are also issued driving licenses, the details of which  
given below

Register No./

Page No. Name of License Holder Validity Pagination

99/10 related to year 2007 Sh. Ajit Singh S/o Sh. Krishan  
01.11.2007 to 31.10.2027 24.02.2009

100/58 related to year 2007 Sh. Satyaprakash S/o Sh. Chippi  
15.10.2007 to 14.10.2027-105/ related to year 2007 (no. of  
pages are not mentioned) Sh. Sumit Mathura S/o Sh. Sukhbir  
Singh, 15.11.2007 to 14.10.2027 19.12.2008

6. Similarly more than one licenses were issued to people against Sr. No-15, 16, 26, 31, 35.

7. The number of valid individual licenses & commercial driving license in state are 80,28,441 and 9,66,315 respectively on 31.03.2009 i.e. closing of year 2008-09. The total number of license is 89,94,756 and ratio of commercial license is approx. 11%. But various register found in Mathura office in which cent-percent driving licenses' were paginated as commercial which indication to more possibility of fake entries.

8. The investigation performed with personnel of Mathura Officer involved in investigation regarding entry of driving license made in register that whose handwriting is this but in respect of most of handwriting, staff of Mathura office fails to identify the handwriting. Here it is mention that staff of Mathura office told that the signature is of Sh. Harender Singh Chahar, Asstt. Divisional Inspector (Legal) as Licensing Authority on driving licenses as commercial licenses except some exception. One sr. no. of driving license found entered in various licenses register nearby -and there is huge possibility that one register was issued in office and other was parallel managed at outside office managed by someone racket and - latterly included in records of office. Thus records of driving license of Mathura became corrupt. Thus genuineness of driving license can only be made on the basis of fees deposited by driving license holder to cash section on that day not on the basis of entry made in register.

9. On scrutiny of records this facts also cleared that the records which would be corrupt have most of all the license holder are male & young. There would be more possibility of genuiness of records where license holder are female or old man. Similarly the register in which only once or twice licenses has been paginated as commercial records there is no possibility of mistake wherever there are some registers in which cent percent licenses has been paginated as commercial. As ration given above between personnel & commercial license, it is cleared that in no one register of authority could be practically

*possible paginated cent percent as commercial license. And there is no refusal of possibility that records could be corrupted for personal gain by the then official of license official.*

*Here, it is also mention that Sh. Rjesh Kumar Verma, Asstt. Divisional Transport Officer (Admn.) Mathura was working since June, 2006, Sh. Om Prakash, Divisional Inspector (Legal), Mathura since May, 2006 and Sh. Harender Singh Chahar, Asst. Divisional Inspector (Legal) working continuously since 2006. The work relating to License Branch was performed by Sh. Harender Singh Chahar, Asst. Divisional Inspector (Legal), Mathura and Sh. Jagdish Prasad Rawat, Sr. Clerk and Sh. Makhan Singh, Sr. Clerk was working in license department. The work of learning license was perfored by Sh. Bhim Katyan, Jr. Clerk. In Sept. 09 when episode of Kasab comes in light then a case was registered u/s -419, 420, 468, 470, 479 & 120-B of IPC against Sh. Harender Singh Chahar, Asst. Divisional Inspector (Legal), Sh. Jagdish Prasad Rawat, Sr. Clerk and Sh. Makhan Singh, Sr. Clerk at PS Hi-Way Mathura and they were sent to jail for this reason and after that they were released on bail by Honble court, proceeding of department enquiry is under consideration against them and they are still suspended. Here is no refusal of possibility of their hand in corrupt record and corrupt pagination. Sh. Rajesh Kumar Verma, Asstt. Divisional Transport Officer (Admn.) Mathura who was working since 2006 being head of department also not supervise the staff properly and he might be held responsible for supervisory lapse. However, Sh. Om Prakash,, Divisional Inspector (Legal) who was not allotted work of driving license but he should be aware being head of department and stop above serious irregularity and report it to higher officer. This shows gross negligence against govt. duties.*

*The above driving license register kept in closed almirah as safe custody by special effort of Divisional Transport Officer Agra. The above enquiry report of 220 driving licenses alongwith the verification report prepared by office forwarded for further necessary action.*

9. As has been noticed hereinabove, the issue arises to be determined is when there are conflicting reports, which report may be accepted. Generally one needs to go by the facts and circumstances in which the response is given and procured. The exercise undertaken before the response is given i.e. whether the same is perfunctory or is given after due deliberation and at whose behest the report is given. In case the circumstances in which the reports given are conflicting, one needs to go by the latest reports. As mentioned above, in the present OAs, the final reports are:-

*fee for licence not deposited;*

*(ii) licence is issued in the name of some other candidate;*

*(iii) licence is not issued to the applicant, etc.*

10. Besides, it is seen that the subsequent report/ latest report given by the authorities are with reference to the communication or in response to the query from the Office of the Deputy Commissioner of Police (Prov. & Logistics), 5, Rajpur Road, Delhi. In communication dated 3.05.2010 in the case of AK. Yadav, the Asstt. Divisional Transport Officer, Office of Deputy Divisional Transport Office, Mathura mentioned that the verification of 220 driving licences had been done on the basis of fee deposited to Cash department and as per record, it was found that the fee had not been deposited and the address of the licence holder was found incomplete. In schedule to the said report, it could be mentioned that in the event of not depositing fee, the licence could not be issued. For easy reference, relevant extract of the schedule (in the case of A.K. Yadav) is quoted

*hereinbelow:*

*Fee has been deposited hence licence can be deemed to be valid for light Motor Vehicle but pagination for Heavy Motor Vehicle is wrong and further fee has also not been deposited.*

*11. Besides, in letter dated 11.06.2010 placed at Annexure A-5 to the said OA, it is again mentioned that all the 200 commercial licences in respect of which report was sought, were not issued by the said authority, as per procedure. The English translation of the said letter placed on record by the applicant himself reads as under:*

*OFFICE OF DY. DIVISIONAL TRANSPORT OFFICER,  
MATHURA*

*No.214/D.L./Verification/2010*

*Dated 7.6.2010*

*To,*

*The Dy. Commissioner of Police,*

*Establishment,*

*O/o Police Commissioner,*

*New Delhi.*

*Sub: Verification of 220 Driving License-regarding*

*Sir,*

*Please refer to your office letter No.8417/Rect.Cell/AC-III/PHQ Delhi dated 1.6.2010 regarding sending of re-verification report of 220 Driving License.*

*In this regard vide this office letter No. 103/DL/Verification/2010 dated 3.5.2010 it has been informed that enquiry has been conducted regarding pagination and fee deposit in Cash Department. On the basis of report submitted by Cash Department the report is being prepared. As per report of office, some license could be valid for light motor vehicle but not valid for Heavy Motor Vehicle. However, all 220 Heavy Motor Vehicle was not being issued properly.*

*The addresses of License Holder got verified and found that no address of any license holder has been complete or correct.*

*Encl: List of 220 License Holder.*

*Sincerely,*

*-sd/-*

*Asstt. Divisional Transport Officer*

*(Admn.) Mathura*

*Copy to: Forwarded to Divisional Transport Officer, Agra  
w.r.t. letter No-103/DL/Verification/2010 dated 3.5.10.*

*Asstt. Divisional Transport Officer*

*(Admn.) Mathura*

*12. The latest report in the case of A.K. Yadav is that driving licence no.15237/MTR/07 was issued in the name of Shri Anil Kumar for LMV-II. The letter written by the Assistant Divisional Transport Officer, Divisional Transport Office, Mathura addressed to Shri Kuldeep Singh, Inspector, Delhi Police in this regard reads as under:*

*From the said letter, it appears that after the order passed by this Tribunal, steps were taken by the respondents to verify the validity of the licences issued to the applicants and only when the concerned licencing authorities authenticated that the licences possessed by the applicants were not valid, their candidature was cancelled. No circumstances are put forth by the applicants to substantiate that not the latest report or final report given by the licencing authorities but the initial or intermediary reports which were in their favour are more reliable. Rather, it is claimed by the respondents that before the final report in respect of licences issued from Agra and Mathura offices of Divisional Transport Authorities, an in depth verification was conducted and verification report of 220 driving licences was prepared. In the said report, the licences of none of the applicants who claimed their licences issued from Licencing Authorities, Mathura or Agra were considered valid. The summary of various reports given by Licensing*

*Authorities in respect of applicants in each OAs as produced by Ms. Rashmi Chopra, advocate read as under:-*

*D/L Verification reports*

*1st Report IIInd*

*Report IIIrd Report*

*1 2920/2011*

*Rajni*

*Kant 802355 2.2.1987 76828/D30.6.2006 Churachander Pur (Manipur) (I) 31.3.2010 Licence not found in record*

*(II) Issued in the name of candidate*

*(III) 30.7.2010 D/L issued in favour of Miss Niangneihoih instead of candidate*

*(III) 22.10.2012*

*D/I issued in favour of Miss Niangneihoih instead of candidate. He had got issued an another D/L No.78497/Ch. Which was issued by the authority to the applicant w.e.f. 30.07.2009 for HTV after submitting his application to the post, as he was applied for the post on 29.3.2009.*

*16.9.2010 79*

*3.6.10*

*2 1581/12*

*82/11 Krishan Kumar 807724 07.04.1984*

*7322/AG/06 dt.25.04.2006 Agra 09.04.2010*

*Fee for HMV not deposited and without depositing fee D/L cannot be issued*

*29.04.2010*

*D/L invalid 17.01.2011*

*D/L issued in the name of Mahender Meena s/o C.S.Meena r/o G-194/ASouth Railway Colony, Agra or M/C & LMV*

*03.12.2010 405*

*30.12.2010*

*3 1582/12 250/11 Ashish 802808 17.10.1987*

*12041/M/06 dt.06.10.2006 Mathura 03.05.2010*

*Fee for HMTV not deposited and without depositing fee D/L cannot be issued*

*07.06.2011 Due to not depositing fee, D/L for driving commercial vehicle is not valid 30.08.2011*

*Not issued in favour of candidate 10.12.2010 276*

*23.12.2010*

*4 1031/12 Sunil Kumar Malik 803225 03.03.1983*

*WB*

*71/78845/06 dt.05.01.2006 Jalpaiguri*

*(WB) 27.04.2010*

*D/L issued in the name of Sunil Kumar Malik S/o Nafe Singh 26.10.2010*

*D/L/Issued in the name of Sunil Kumar Malik S/o Nafe Singh r/o Uttam Vihar Colony, near new bus stand, Rohtak*

*05.05.2011*

*D/L issued in the name of Subrata Tarafder S/o Lt. S, Tarafdr, 04 No.Ghumti, Jalpaiguri 30.09.2011*

*31.12.2011*

5 1762/12

103/2011 Diman Singh 800723 25.07.1986

13972/MTR/04 dt.16.10.2004 Mathura 03.05.2010

*Fee for HMV not deposited and without depositing fee D/L cannot be issued 07.06.2010*

*Due to not depositing fee, D/L for driving commercial vehicle is not valid 7.4.2011*

*D/L not issued to the applicant 10.11.2010 254*

22.12.2010

6. 3044/12

345/11 Manoj Kumar 806573 31.07.1982

6474/MTR/05

7.6.2005

Mathura 03.05.2010

*Fee for HMV not deposited and without depositing fee D/L cannot be issued. 07.06.2010*

*Due to not depositing fee, D/L for driving commercial vehicle is not valid 17.01.2011*

*D/L not issued to the applicant. 28.12.2010 198*

18.12.2010

7. 3175/12

1501/2011 Anil Kumar 804120 5.9.1983 20537/Ag/05  
27.12.20.05

Agra 09.04.2010”

(emphasis supplied in respect of petitioners specific details)

7. The CAT refuted the contentions of the petitioner with regard to the duty of the employer to satisfy itself decidedly as to the validity of the licenses in the following manner:

*“43. With reference to the aforementioned provisions of the Rules and Act, we asked the counsel for the applicants to establish that the applicants procured the licence as per procedure mentioned in the Motor Vehicles Act and rules thereunder. In response, the learned counsels submitted that it is not for this Tribunal to make a declaration on the validity of the driving licence as in terms of Section 14 of the Administrative Tribunals Act, the jurisdiction of the Tribunal is only to deal with the matters in relation to recruitment, and matters concerning recruitment to any All-India Service or to any civil service of the Union or a civil post under the Union or to a post connected with defence or in the defence service, being, in either case, a post filled by a civilian. Similar reaction came from them when we referred to the photocopies of certain licences placed on record. Once it has been a stand taken by the counsel for the applicants that it is not for this Tribunal to go into the question of validity of the licence, it is not understood as to how they are seeking direction from this Tribunal to the recruiting agency to take a decision on the said issue. In fact, it is not for the recruiting agency to pronounce on the validity of the licence and the said authority could only rely on the report of the authority competent to issue licence and when a responsible officer from the Crime Branch deputed for the purpose was apprised that the licences, particulars of which were mentioned by the applicants in para 5 of the application form were not issued to them, the recruiting agency had no option but to cancel the candidature of the applicants.*

*44. Since the matter was kept on Board approximately for a period of 50 days, we had an opportunity to look at the photocopies of the documents claimed by the applicants, as driving licences issued to them. Even we could not inspire our confidence about the validity of the said documents.*

*Nevertheless, when we proposed to seek clarification from the counsel in this regard, they declined to respond taking the plea that this Tribunal has no jurisdiction to go into the said facts.*

*45. In rejoinder, Shri Sachin Chauhan, learned counsel categorically submitted that they never expected this Tribunal to pronounce on the validity of the licence. We also countenance the view of the learned counsel. The recruiting agency was neither competent to go into the question of validity of driving licence nor they could have gone into the correctness of the conflicting reports issued. The best course they could adopt was to make direct verification about the fate and status of the licence which they did by sending an officer of Crime Branch and finally acted upon his report.”*

8. Thereafter, the CAT considered a host of decisions of the Supreme Court on the question of what constitutes fraud, or suppression of material facts, which disentitles the candidate from claiming public employment. The CAT also noted that in the application, each candidate had to furnish a declaration as to the veracity of the particulars and documents furnished by him or her with the request for employment. It was concluded that having regard to the report and the entirety of the circumstances, the respondent Commissioner's order cancelling the candidature, could not be termed arbitrary.

9. It is evident from the above discussion that the petitioner's initial grievance – when he approached the Tribunal, was that no appropriate opportunity was given to him and that the order cancelling his appointment – made on 28.12.2010, was unreasoned. This application found favour with CAT, which directed the matter to be dealt with afresh. In the fresh round, the respondents have duly considered the entire materials on record, as noticed by the Tribunal. Pertinently, the petitioner has not obtained any

reconfirmation/recertification of his licence from the original licencing authority. His real remedy lies in taking up the issue with the licensing authorities, as it is that authority which has disowned the licence relied upon by the petitioner.

10. One of the grounds urged was that the impugned order in this case is unreasoned. We do not agree. Such exhaustive and elaborate discussion of facts, as is recorded in the order of the respondents, would suggest that the matter has received not only serious but detailed examination.

11. The question is whether, given the circumstances, out of the 220 selected candidates, the concerned authority (which is alleged to have issued the licenses) could certify that only 32 licenses were valid (in the sense some were merely irregular), and that in respect of the balance 188, the record kept or maintained by it did not tally with the licenses produced by the candidates, the respondent was justified in cancelling the candidature of the petitioner – whose licence was also found to be doubtful. The extracted portions of the CAT's order, which dealt with this aspect as well as the discussion with respect to the petitioner's particulars, in the opinion of this Court, clarify that the license produced by him – which was at serial No.6, clearly fall among the 188 entries which did not so tally. Such being the case, there was, facially, sufficient cause for the employer to hold that the offer of employment ought not to be proceeded with.

12. As to the correctness of the CAT's view with regard to the validity of the licence, this Court wholly affirms the decision of the CAT that neither the employer, nor the judicial authority – in this case the CAT, is expected

to go into the validity or otherwise of the documents furnished by the candidate. At the stage of securing employment, the candidates had to disclose all particulars truly and faithfully. Any cloud of suspicion over such candidature, would disentitle him the right to be appointed. There is authority for the proposition that the public employer is not obliged to issue appointment letter merely because someone's name figures in the select list. It is open to the employer – if circumstances so justify, to either seek recourse to the list partially, or to entirely cancel the process (*Shankaran Dash v. Union of India*, (1991) 3 SCC 47). In the present case, the materials on record, in the form of the report which was considered by the Police Commissioner, according to Court's opinion, constituted sufficient reason for the cancellation of the petitioner's candidature. The Tribunal's finding upon its elaborate analysis of the fact cannot be faulted with.

13. The writ petition is devoid of merits and is, accordingly, dismissed.

**S. RAVINDRA BHAT, J**

**VIPIN SANGHI, J.**

**SEPTEMBER 09, 2014**

*B.S. Rohella*