

Court No. - 34

Case :- WRIT - A No. - 14582 of 2023

Petitioner :- Abhishek Yadav

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Vibhu Rai, Abhinav Gaur, Sr. Advocate

Counsel for Respondent :- C.S.C.

Hon'ble Ajit Kumar, J.

1. Heard Sri Anoop Trivedi, learned Senior Advocate assisted by Sri Vibhu Rai, learned counsel for the petitioner and learned Standing Counsel for the State respondents.

2. Petitioner, who is holding the position of Deputy Superintendent of Police, is aggrieved by the order dated 3rd April, 2023, whereby departmental proceeding has been instituted by the State Government under Rule 7 of the U.P. Government Servant (Discipline and Appeal) Rules, 1999 (hereinafter referred to as Rules, 1999) contemplating an inquiry and so the chargesheet was issued on 3rd April, 2023. A further prayer has been made to promote him as Additional Superintendent of Police w.e.f. 13th January, 2023 with all consequential benefits. By the order dated 3rd April, 2023 while contemplating an inquiry, petitioner was also suspended, however, later on vide order dated 11th August, 2023 he has been reinstated revoking the suspension order.

3. There is a chequered history of this case, as not only controversy has traveled to U.P. Public Service Tribunal, Lucknow but also previously to this Court as well.

4. Briefly stated facts of the case are that petitioner, who was earlier investigating officer in connection with criminal case arising out of Case Crime No.- 213-C of 2016 under Sections 342, 376-D of

I.P.C. and Section 3(2)5 of SC/ ST Act prepared a closure report No.- 68 of 2016 dated 13th September, 2015, however, under the order of Deputy Director General of Police, Moradabad Region, the matter was directed to be investigated afresh by the Circle Officer Mr. Om Pal Singh, district- Amroha, who submitted the chargesheet finding the evidence to be cogent and convincing, on 25th November, 2016 bearing chargesheet No.- 214. Resultantly, trial was started in connection with said case crime number being Sessions Trial No.- 1164 of 2017, however, it finally ended in the acquittal of the accused persons under the judgment and order of the Special Judge SC/ ST (PA) Act, Moradabad dated 5th August, 2021 returning a specific finding to the effect that prosecution failed to establish commission of the crime.

5. In the meanwhile, petitioner was served with a show cause notice on 26th March, 2018; as to why under Rule 3(1) read with Rule 10 of Rules, 1999 an adverse entry of 'CENSURE' may not be awarded for casually conducting the investigation in the aforesaid case crime number in which subsequently another investigating officer has submitted chargesheet. Petitioner did submit his reply to the show cause notice on 27th July, 2018 and thereafter vide order dated 20th July, 2018 petitioner was awarded with the adverse entry of censure. This order passed in proceedings drawn under Rule 3(1) read with Rule 10 of Rules, 1999 came to be challenged by the petitioner before the U.P. State Public Service Tribunal, Lucknow vide Claim Petition No.- 1868 of 2018 and the Tribunal having returned a finding that petitioner's representation made in reply to the show cause notice was required to be considered by the disciplinary authority, was allowed the claim petition was allowed setting aside the order of a minor penalty of censure, dated 20th July, 2017(2018) but at the same time

giving this liberty to the respondent establishment to proceed a fresh, if so desired, after receiving representation from the petitioner in the matter.

6. Instead of passing any order otherwise to initiate any proceeding for major penalty the disciplinary authority, namely, the State proceeded to reinstate the proceedings for penalty of 'censure' by issuing show cause notice afresh on 11th July, 2019. Petitioner again submitted reply his on 5th November, 2019 asking the respondent to drop the proceedings accepting the explanation offered by him.

7. In the meanwhile, while matter remained pending with the respondents, the Departmental Promotion Committee was organized to consider the promotion of the officers of batch of the petitioner taking recourse to the seal cover procedure in respect of the petitioner. This information was received under the Right to Information Act, 2005 furnished by the Section Office vide its letter dated 11th November, 2022. On 3rd November, 2022 petitioner was suspended in contemplation of an inquiry under Rule 4 read with 7 of Rules, 1999 for major penalty, referring to those very allegations to be reduced into charges that were made to initiate departmental proceedings. Show cause notice earlier issued to the petitioner on 16th March, 2018 exercising power under Rule 3(1) read with Rule 10 of Rules, 1999. It is worth interesting to notice that this 3rd November, 2022 order was passed after the Trial Court had acquitted the accused person in session trial on 5th November, 2021. The petitioner, therefore, questioned this order of 3rd November, 2022 by means of writ petition being Writ – A No.- 19346 of 2022 and the Court found that there was nothing recorded as to be suggestive of the allegations levelled were to

be so serious that it would have warranted major penalty. The court further recorded a finding that *‘from the pleadings on record nothing can be deciphered, so as to, enable the Government to form an opinion that the allegations levelled against the petitioner would warrant major penalty’* and accordingly, the court set aside the suspension order dated 3rd November, 2022 by returning following finding:-

“I have gone through the judgment of the trial court which acquits the accused on the basis of the statements of the prosecutrix and there is nothing on record to come to the conclusion that the trial come to an end because of faulty investigation. That being the case, prima facie, there is no material to enable the Government to form an opinion or to come to the conclusion that the allegations are serious enough to warrant a major penalty to the petitioner which is a sine qua non in terms first proviso to Rule 4(1) of the 1999 Rules.

Thus the suspension order dated 03.11.2022 (Annexure-1) is set aside.

As there is no challenges to the subsequent disciplinary proceedings in pursuance to the new charge sheet which is prepared against the petitioner but is pending for approval before the State Government (as argued by the Standing Counsel), I am not going into the said issue in the present petition.”

8. Against this order special appeal was filed by the State of Uttar Pradesh which was dismissed as withdrawn on 30th May, 2023 being Special Appeal Defective No.- 334 of 20232. It appears that on account of a window that remained opened for the respondent in the order dated 7th December, 2022 by this Court as there was no challenge to the subsequent proceedings pursuant to the new chargesheet dated 3rd April, 2023 and the order contemplating the said inquiry dated 3rd April, 2023, the respondents proceeded to conduct enquiry for major penalty and therefore, being left with no option, petitioner had to challenge these orders and the chargesheet before this Court and hence this petition.

9. The argument advanced by learned counsel for the petitioner is that once the proceedings were drawn for minor punishment under Rule 3(1) read with Rule 10 of Rules, 1999 and penalty was imposed which was set aside by the Public Services Tribunal with an order of remand to pass order afresh after inviting representation from the petitioner, if it so wished/ desired and the fact that the show cause notice was issued to the petitioner on 17th July, 2019 for ‘censure’ to which petitioner did submit reply on 5th November, 2019, it was not open for the respondents to suspend the petitioner and to initiate the proceedings this time under Rule 4 and in contemplation of departmental proceeding for major penalty under Rule 7 of Rules, 1999. It is argued that allegations since were the same, this time by passing an order on 3rd November, 2022 placing the petitioner under suspension as were levelled against him in the initial show cause notice issued to him in proceedings drawn under Rule 3(1) read with Rule 10 of Rules, 1999 on 26th March, 2018, it all amounted to review of the decision earlier taken by the disciplinary authority, which was not permissible in law. It is argued that Tribunal had quashed the order of minor penalty of ‘censure’ with a liberty that if department so desired it might invite representation from petitioner and pass orders, so the scope under the order of Tribunal was limited to the extent that the proceedings under Rule 3(1) read with Rule 10 of Rules, 1999 would be re-initiated by inviting representation but under no circumstances the respondents could take liberty as if were directed, to hold proceedings for major penalty by placing petitioner under suspension under Rule 4 read with Rule 7 of Rules, 1999.

10. Learned counsel for the petitioner has argued that except for those very allegations mentioned in the show cause notice dated 26th March, 2018 drawing the proceedings under Rule 3(1) read with Rule

10 of Rules, 1999 no other allegation has been made in the order dated 3rd April, 2023 contemplating the inquiry for major penalty under Rule 7 and the chargesheet issued on 3rd April, 2023 as a sequel thereto.

11. *Per contra*, it is argued by learned Standing Counsel that Tribunal's order cannot be taken to be one binding to the authority, so as not to exercise its discretion in holding the disciplinary proceedings for major penalty, may be for the same charges, for which proceedings were earlier drawn for minor penalty. It is also argued that the observations made by a co-ordinate Bench of this Court earlier in its order dated 7th December, 2022 cannot be said to be a judgment restraining the disciplinary authority from proceeding under Rule 4 read with Rule 7 of Rules, 1999.

12. Upon the argument advanced by learned counsel for the petitioner that once the proceedings were drawn under Rule 3(1) read with Rule 10 of Rules, 1999, no second round of proceedings could have been instituted this time for major penalty placing petitioner under suspension under Rule 4 read with Rule 7 of the Rules, 1999, learned Standing Counsel submits that the order of Tribunal having been passed setting aside the order of major penalty earlier imposed upon the petitioner, it remained opened for the disciplinary authority to chose either to proceed for minor penalty or major penalty proceeding looking to the reply submitted by the petitioner.

13. Having heard learned counsel for the respective parties and having perused the records, I find it to be a glaring case of exercise of administrative discretion to be vitiated for malice in law. It is an admitted position that with show cause notice issued on 26th March, 2018 the respondents proceeded to level the charge of casual approach

in the conduct of the investigation and thus negligence and dereliction in discharge of official duty, which amounted to violation of Rule 3 of Government Servant Fundamental Rules, 1956 and yet chose to proceed for minor penalty prescribed for under Rule 3(1) of the Rules, 1999. While petitioner submitted his reply and the order of punishment of minor penalty of censure was awarded as prescribed under Rule 3(1), upon being challenged the Tribunal set aside the same holding that reply submitted by the petitioner was not considered at all inasmuch as the documents required by the petitioner were not supplied to. Thus it was held to be a case of violation of principles of natural justice and resultantly, the order of penalty dated 20th July, 2017 was set aside. There was no order of remand as such but liberty was given to the respondent to pass an informed order afresh, if it so desired, after taking explanation from the petitioner. The operative part of the order of Tribunal is reproduced hereunder:-

"याचिका तदनुसार स्वीकार की जाती है। दण्डादेश दिनांक 20.07.2017 (संलग्न-1) अपास्त किया जाता है। विपक्षीगण को यह स्वतंत्रता दी जाती है कि यदि वे चाहें तो याची से स्पष्टीकरण प्राप्त करके उसमें दिये गये बिन्दुओं पर सम्यक विचारोपरान्त तर्क संगत व मुखरित आदेश पारित कर सकते हैं।

पक्षकार अपना-अपना व्यय स्वयं वहन करेंगे।"

"Petition is accordingly allowed. Punishment order dated 20.07.2017 (Anexure-1) is quashed. Liberty rests with respondents, if they so wish, to seek explanation from the petitioner and then to pass order afresh after considering and meeting the points raised therein.

Parties shall bear own cost."

(English translation by Court)

14. This order was passed on 7th June, 2019 and on 11th July, 2019 show cause notice was issued afresh to the petitioner stating therein that it was in compliance of the order of Tribunal. Thus, the

disciplinary authority while issuing the show cause notice afresh choose in its discretion to proceed only under Rule 3(1) read with Rule 10 of Rules, 1999 and that is why a show cause notice was issued. This show cause notice was duly replied in detail and yet the disciplinary authority exercised the discretion to place the petitioner under suspension under Rule 4 in contemplation of disciplinary inquiry under Rule 7 for major penalty.

15. What I find is that basic charge, rather it would be appropriate to call it as the only charge in the show cause notice is that the petitioner showed his carelessness, passive and indifferent approach in conducting investigation in connection with case crime number 213-C of 2016 and submitted a closure report for the reason that he did not send for FSL report to the laboratory and similarly the Call Detail Records (CDR) though were received but were not made part of the investigation.

16. This above was the charge also in the order passed on 3rd November, 2022 while placing the petitioner under suspension in contemplation of an inquiry for major penalty under Rule 4 of Rules, 1999. For better appreciation the charge levelled as in the first paragraph of show cause notice dated 26th March, 2018 is reproduced hereunder:

“वर्ष 2016 में जब आप क्षेत्राधिकारी, चन्दौली, जनपद संभल के पद पर थे, तब वादिनी श्रीमती नीतू रानी पुत्री श्री चरन सिंह, निवासी ग्राम-सैफपुर जगना, थाना बिलारी, जनपद मुरादाबाद के शिकायती प्रार्थना पत्र के आधार पर दिनांक 07.08.2016 को थाना बनियाठेर पर पंजीकृत मु०अ०सं०-213 सी/2016 धारा 342/376 डी भा०दं०वि० व 3(2)5 एस०सा०/एस०टी० एक्ट बनाम सत्यपाल राठौर व उमेश को प्रारम्भिक स्तर पर विवेचना आपके द्वारा ग्रहण कर सम्पादित की गई। आप द्वारा विवेचना से पीड़िता नीतू के घटना

के समय पहने वस्त्रों को कब्जे में लिया गया , लेकिन उनको परीक्षण हेतु विधि विज्ञान प्रयोगशाला नहीं भेजा गया, जबकि बलात्कार के अपराध की विवेचना में यह आवश्यक एवं अनिवार्य है। इसी प्रकार आप द्वारा सी०डी०आर० प्राप्त की गई, लेकिन उसका विश्लेषण करते हुए विवेचना में सम्मिलित नहीं किया गया और अल्प समय में दिनांक 13.09.2016 अर्थात् 01 माह 05 दिन में विवेचना द्वारा अन्तिम रिपोर्ट सं० -68/2016 दिनांक 13.09.2016 को मय जुर्म खारिजा रिपोर्ट प्रेषित कर समाप्त कर दी गई।"

(emphasis added)

"In the year 2016 when you were posted as Circle Officer, Chandauli, District Sambhal then as a result of complaint of one Smt. Neetu Rani D/o Sri Charan Singh, resident of village-Saifpur Jagna, Police Station – Bilari, District- Moradabad on 7th August, 2016 at Police Station- Baniyathher, an FIR was registered as Case Crime No.- 213 C/ 2016 under Sections 342/ 376 D of I.P.C. and 3(2)5 of SC/ ST Act v. Satyapal Rathore and Umesh and while preliminary stage of investigation was conducted by you, you had though taken the dress that was worn by the victim Neetu, during investigation, but you did not send the same to the Forensic Science Laboratory for examination, whereas in cases of offence of rape it is necessary to do so for investigation purposes. Similarly you had been served with the Call Detail Records (CDR) but you did not examine the same to make it part of the investigation and within a sort span of time i.e. one month and five days you submitted the final report on 13.09.2016 bearing No.- 68 of 2016."

(English translation by the Court)

17. The reason for holding departmental inquiry for major penalty was given in paragraph 5 of the order dated 3rd November, 2022 which is also reproduced hereunder:

"5. श्री यादव द्वारा उपलब्ध कराये गये स्पष्टीकरण एवं अन्य सुसंगत अभिलेखों के परिशीलन से स्पष्ट है कि श्री यादव द्वारा दिनांक 07.08.2016 को थाना बनियाठेर पर पंजीकृत मु०अ०सं०-213 सी/2016 धारा 342, 376 डी भा०द०वि व 3(2)5 एस०सी०/एस०टी० एक्ट बनाम सत्यपाल राठौर व उमेश में पीड़िता नीतू के घटना के समय पहने वस्त्रों को कब्जे में लिया गया

लेकिन उनको परीक्षण हेतु विधि विज्ञान प्रयोगशाला न भेजे जाने , सी०डी०आर० प्राप्त करने के बाद भी उसका विश्लेषण करते हुए विवेचना में सम्मिलित नहीं किये जाने और अल्पसमय में दिनांक 13.09.2016 को 01 माह 05 दिन में विवेचना द्वारा अन्तिम रिपोर्ट संख्या -68/2016 दिनांक 13.09.2016 को मय जुर्म खारिजा रिपोर्ट प्रेषित कर समाप्त कर दिये जाने का कृत्य एक राजपत्रित अधिकारी के शासकीय कर्तव्यों एवं दायित्वों के सर्वथा विपरीत है जो उ०प्र० सरकारी सेवक आचरण नियमावली-1956 के नियम-3 का स्पष्ट उल्लंघन है प्रश्नगत प्रकरण की गम्भीरता एवं संवेदनशीलता को देखते हुए श्री अभिषेक यादव , तत्कालीन क्षेत्राधिकारी चन्दौसी, जनपद सम्भल सम्प्रति सहायक सेनानायक, 37 वी वाहिनी पी०ए०सी० कानपुर को उत्तर प्रदेश सरकारी सेवक (अनुशासन एवं अपील) नियमावली, 1999 के नियम-4 के अन्तर्गत निलम्बित करते हुए उक्त नियमावली के नियम -7 के अन्तर्गत विभागीय कार्यवाही संस्थित (contemplated) की जाती है।"

(emphasis added)

"Upon perusal of explanation and other related documents made available by Sri Yadav it transpires that in connection with a registered Case Crime No.- 213 C/ 2016 under Sections 342/ 376 D of I.P.C. and 3(2)5 of SC/ ST Act v. Satyapal Rathore and Umesh on 07.08.2016 Police Station Baniyadher while conducting investigation at preliminary stage the dress that was worn by the victim Neetu at the time of incident, was taken by Sri Yadav but for not sending the same to the Forensic Science Laboratory for examination and not analysing/ examining even upon receiving the CDR to make it part of the investigation and for submitting final report being No.- 68 of 2016 within a sort span of time i.e. one month and five days on 13.09.2016 you are guilty of an unbecoming act of Gazetted Officer in discharge of official duties which is against Rule-3 of U.P. Government Servant Conduct Rules, 1956. Looking to the seriousness and sensitivity involved in the matter vide Government No.: 1955/Chha:- Pu.Se.-1-2020-09(13)/ 2018 dated 03.11.2022 Sri Abhishek Yadav, the then Circle Officer Chandausi, District Sambhal, now the Assistant Commandant, 37th PAC, Kanpur is placing under suspension vide Rule 4 of U.P. Government Servant (Discipline and Appeal) Rules, 1999 in contemplation of departmental inquiry under Rule 7 of the said Rules."

(English translation by the Court)

18. Thus, from the above paragraph it is absolutely clear that the allegation-cum-charge remained the same as in the initial show cause notice dated 16th March, 2018 drawing proceedings under Rule 3(1) of Rules, 1999 but surprisingly the discretion this time was exercised by the respondent in directing for departmental inquiry for major penalty. The Court does not find this discretion in any manner to be the logical one which can be conceived by any stretch of imagination in the given facts and circumstances of the case. No one can perceive same charge to have acquired higher degree of gravity with passage of time. Still further, the liberty was given to the disciplinary authority under the order of Tribunal to only pass fresh order, while it set aside the previous order of penalty of 'censure' and so it means that the disciplinary authority could have either inflicted the punishment again of same nature or could have exonerated the petitioner from the charges but under no circumstances, this liberty could have been taken as an opportunity by the respondents to proceed against the petitioner for major penalty enquiry. There is no higher degree or some serious charge than the charge levelled in the initial show cause notice and, therefore, it is apparent to be a case of malice in law as the exercise of discretion has been malicious one for no justifiable reasons which can be said to be judicious one. This order of suspension was challenged and the High Court this time considered the finding returned in the judgment of trial court while acquitting him from the criminal case on the basis of the recorded statements of the prosecution. The Court returned a finding that nothing can be deciphered from the judgment of trial court that the accused persons got acquitted for any faulty investigation. The finding part in the earlier order of this Court as I have already reproduced in the earlier part of this judgment and the

said findings in the judgment of the High Court dated 7th December, 2022 was not questioned at all in appeal at higher forum.

19. Now, coming to the order dated 3rd April, 2023 passed by the Chief Secretary on behalf of the State Government, I find the charge to be the same again. The first part of the order dated 3rd April, 2023 is reproduced hereunder:

"जब वर्ष 2016 में श्री अभिषेक यादव, तत्कालीन क्षेत्राधिकारी, चन्दौसी जनपद सम्भल के पद पर तैनात थे। तब वादिनी श्रीमती नीतू रानी पुत्री श्री चरन सिंह नि० ग्राम सैफपुर जगना थाना बिलारी जनपद मुरादाबाद के शिकायती प्रार्थना-पत्र पर दिनांक 07.08.2016 को थाना बनियाठेर पर पंजीकृत मु०अ०सं०-213 सी/2016 धारा 342, 376 डी भा०द०वि व 3(2)5 एस०सी०/एस०टी० एक्ट बनाम सत्यपाल राठौर व उमेश की प्रारम्भिक स्तर पर विवेचना श्री यादव द्वारा ग्रहण कर सम्पादित की गयी, श्री यादव द्वारा विवेचना से पीड़िता नीतू के घटना के समय पहने वस्त्रों को कब्जे में लिया गया लेकिन उनको परीक्षण हेतु विधि विज्ञान प्रयोगशाला नहीं भेजा गया जबकि बलात्कार के अपराध की विवेचना में यह आवश्यक एवं अनिवार्य है। इसी प्रकार श्री यादव द्वारा सी०डी०आर० प्राप्त की गयी लेकिन उसका विश्लेषण करते हुए विवेचना में सम्मिलित नहीं किया गया और अल्पसमय में दिनांक 13.09.2016 को 01 माह 05 दिन में विवेचना द्वारा अन्तिम रिपोर्ट संख्या-68/2016 दिनांक 13.09.2016 को मय जुर्म खारिजा रिपोर्ट प्रेषित कर समाप्त कर दिये जाने का दोषी पाया गया, जो श्री यादव का यह कृत्य उ०प्र० सरकारी सेवक आचरण नियमावली-1956 के नियम-3 का स्पष्ट उल्लंघन है। प्रश्नगत प्रकरण की गम्भीरता एवं संवेदनशीलता को देखते हुए शासन के कार्यालय आदेश संख्या:1955/छ:-पु०से०-1-2022-09(13)/2018 दिनांक 03.11.2022 द्वारा श्री अभिषेक यादव, तत्कालीन क्षेत्राधिकारी चन्दौसी, जनपद सम्भल सम्प्रति सहायक सेनानायक, 37 वी वाहिनी पी०ए०सी० कानपुर को उत्तर प्रदेश सरकारी सेवक (अनुशासन एवं अपील) नियमावली, 1999 के नियम-4 के अन्तर्गत निलम्बित करते हुए उक्त नियमावली के नियम -7 के अन्तर्गत विभागीय कार्यवाही संस्थित (contemplated) की गयी।"

(emphasis added)

“When in the year 2016 Sri Abhishek Yadav was posted as Circle Officer, Chandausi District Sambhal, then an F.I.R. with Case Crime No.- 213 C/ 2016 under Sections 342/ 376 D of I.P.C. and 3(2)5 of SC/ ST Act v. Satyapal Rathore and Umesh was registered as a result of complaint made by one Smt. Neetu Rani D/o Sri Charan Singh, resident of village- Saifpur Jagna, Police Station – Bilari, District- Moradabad on 7th August, 2016 at Police Station- Baniyathher, initially investigation was conducted at the preliminary stage by Sri Yadav but while he had taken into custody the dress that was worn by the victim but did not send the same to the Forensic Science Laboratory for examination, whereas in cases of offence of rape it was necessary. Likewise, Sri Yadav did get the C.D.R. but he did not examine the same and did not make it part of investigation and in a very sort span of time i.e. within one month and five days submitted a final report being Final Report No.- 68/ 2016 on 13.09.2016. Therefore, he has found prima facie guilty by such conduct being in violation of Rule 3 of U.P. Government Servant Conduct Rules, 1956. Looking to the seriousness and sensitivity involved in the matter vide Government No.: 1955/Chha:- Pu.Se.-1-2020-09(13)/ 2018 dated 03.11.2022 Sri Abhishek Yadav, the then Circle Officer Chandausi, District Sambhal, now the Assistant Commandant, 37th PAC, Kanpur is placing under suspension vide Rule 4 of U.P. Government Servant (Discipline and Appeal) Rules, 1999 in contemplation of departmental inquiry under Rule 7 of the said Rules.”

(English translation by the Court)

20. Thus, it is clear that no new charges are there, nor any finding has been returned that something more is reflected in the preliminary fact finding report which required further investigation or inquiry by the department inasmuch as the order of acquittal having been passed by the trial court on the basis of statement of the prosecutrix, the petitioner now cannot be held guilty of any faulty investigation. The charge is the same as the impugned chargesheet dated 3rd April, 2023 contains in the articles of the charge.

21. In view of the above, I do not find any find any good ground to sustain the chargesheet and the disciplinary proceedings drawn against the petitioner.

22. Accordingly, the order dated 3rd April, 2023 and the chargesheet dated 3rd April, 2023 are hereby quashed.

23. Now on the question of promotion of the petitioner since the chargesheet has been quashed and the respondents have not passed any order to inflict any minor penalty upon the petitioner, it is a fit case where respondents deserve to be directed to consider the claim of the petitioner for promotion by opening the sealed cover and accord him due promotion in accordance with law.

24. Appropriate order shall be passed by the respondents within a period of 30 days from the date of production of certified copy of this order.

Order Date :- 17.10.2023

Atmesh