

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

WRIT PETITION NO. 11082 OF 2020 (S-KSAT)

BETWEEN:

SRI. P.H MANJUNATHA
SON OF LATE P.S. HONNURAPPA,
AGED ABOUT 49 YEARS,
SECOND DIVISION ASSISTANT,
O/O THE ASSISTANT REGIONAL
TRANSPORT OFFICER, DEVANAHALLI,
BANGALORE-562 110.

...PETITIONER

(BY SMT. REVATHI ADINATHA NARDE, ADVOCATE FOR
SRI. ADINATHA NARDE, ADVOCATE)

AND:

1. THE SECRETARY TO GOVERNMENT
DEPARTMENT OF TRANSPORT,
M.S. BUILDING, BANGALORE- 560 001
2. THE COMMISSIONER
TRANSPORT AND ROAD SAFETY
M.S. BUILDING, BANGALORE- 560 001
3. THE ASSISTANT REGIONAL
TRANSPORT OFFICER,
DEVANAHALLI,
BANGALORE-562 110.

...RESPONDENTS

(BY SRI. K.R. RAJENDRA, AGA)

Digitally signed by
PANKAJA S
Location: HIGH
COURT OF
KARNATAKA

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER PASSED BY HON'BLE KARNATAKA ADMINISTRATIVE TRIBUNAL IN 1519/2009 DATED 03.03.2020 MARKED AT ANNEXURE-A TO THE EXTENT OF PETITIONER IS CONCERNED.

THIS PETITION HAVING BEEN RESERVED FOR ORDERS ON 01.07.2026 COMING ON FOR PRONOUNCEMENT THIS DAY, **RAJESH RAI K, J.**, MADE THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
and
HON'BLE MR. JUSTICE RAJESH RAI K

CAV ORDER

(PER: HON'BLE MR. JUSTICE RAJESH RAI K)

This writ petition is filed by the petitioner-applicant assailing the order dated 03.03.2020 passed by the Karnataka State Administrative Tribunal, Bengaluru (for short, 'the Tribunal'), in Application No.1519/2009, whereby the Tribunal dismissed the application preferred by the petitioner and affirmed the penalty order dated 13.03.2009 passed by respondent No.1.

2. The brief facts of the case are that the petitioner, while serving as a Second Division Assistant in the Treasury Section of the Office of the Assistant Regional Transport Officer (hereinafter referred to as "ARTO"), Chikkaballapura, was entrusted with the custody and maintenance of official records

and financial transactions pertaining to the office. It is alleged that certain important records went missing and that there was misappropriation of funds, which came to light during the course of an inspection of the accounts of the ARTO, Chikkaballapura, conducted by the officials of the Accountant General's Office. Upon such inspection, irregularities were noticed, giving rise to allegations against the petitioner. It is further alleged that the petitioner had acted in contravention of Rule 3 of the Karnataka Civil Services (Conduct) Rules, 1966, and Article 4(A) of the Karnataka Financial Code, thereby attracting disciplinary proceedings.

3. Consequent thereto, the Government, in exercise of its powers under Rule 14-A of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957, entrusted the matter to the Lokayukta for conducting a departmental enquiry. The enquiry officer framed the following imputation of charge against the petitioner:

"ಶ್ರೀ ಪಿ.ಹೆಚ್. ಮಂಜುನಾಥ, ದ್ವಿತೀಯ ದರ್ಜೆ ಸಹಾಯಕರಾದ (ಅಮಾನತ್ತಿನಲ್ಲಿರುವವರು) ನೀವು ದಿನಾಂಕ: 15.1.1994 ರಿಂದ 28.3.1999 ರವರೆಗೆ ಸಹಾಯಕ ಪ್ರಾದೇಶಿಕ ಸಾರಿಗೆ ಕಛೇರಿ ಚಿಕ್ಕ ಬಳ್ಳಾಪುರ ಇಲ್ಲಿ ಖಜಾನೆ ವಿಭಾಗದಲ್ಲಿ ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದಾಗ ಮಹಾಲೇಖಪಾಲರ ಸಿಬ್ಬಂದಿಯು 1999 ಮಾರ್ಚ್ ತಿಂಗಳಲ್ಲಿ ಚಿಕ್ಕ

ಬಳ್ಳಾಪುರ ಸಹಾಯಕ ಪ್ರಾದೇಶಿಕ ಸಾರಿಗೆ ಕಛೇರಿಯಲ್ಲಿ ಲೆಕ್ಕ ತನಿಖೆ ನಡೆಸುತ್ತಿದ್ದಾಗ ಖಜಾನೆ ವಿಭಾಗಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ಕೆಲವು ಮುಖ್ಯ ದಾಖಲೆಗಳು ಕಾಣೆಯಾಗಿರುವುದು ಬೆಳಕಿಗೆ ಬಂದಿದ್ದು ಅದಕ್ಕೆ ನೀವೇ ಕಾರಣರಾಗಿರುತ್ತೀರಿ. ಈ ಬಗ್ಗೆ ದಿನಾಂಕ 1.4.1999, 15.4.1999 ಮತ್ತು 16.6.1999 ರಂದು ಚಿಕ್ಕ ಬಳ್ಳಾಪುರ ಗ್ರಾಮಾಂತರ ಪೊಲೀಸ್ ಠಾಣೆಯಲ್ಲಿ ದೂರು ನೀಡಲಾಗಿದೆ

(D) ಲಭ್ಯವಿರುವ 'ಎ' ಚಲನ್ ಪುಸ್ತಕಗಳಲ್ಲಿ ನಿಮ್ಮ ಹಸ್ತಾಕ್ಷರಗಳಿಂದ ಬರೆದಿದ್ದು ಕೆಲವು ಪ್ರಕರಣಗಳಲ್ಲಿ ತೆರಿಗೆಯನ್ನು 'ಎ' ಚಲನ್ ಪುಸ್ತಕದಲ್ಲಿ ನಮೂದಿಸುವಾಗ ಮೊದಲನೇ ಮತ್ತು ಎರಡನೇ ಪ್ರತಿಯಲ್ಲಿ ಸರಿಯಾದ ಮೊತ್ತವನ್ನು ನಮೂದಿಸಿ, ತ್ರಿಪ್ರತಿಯಲ್ಲಿ ಕಡಿಮೆ ಮೊತ್ತವನ್ನು ನಮೂದಿಸಿ, ತ್ರಿಪ್ರತಿಯಲ್ಲಿ ನಮೂದಿಸಿರುವ ಮೊತ್ತವನ್ನು ನಗದು ಪುಸ್ತಕಕ್ಕೆ ತೆಗೆದುಕೊಂಡಿರುತ್ತೀರಿ. ಇನ್ನೂ ಕೆಲವು ಚಲನ್ ಪುಸ್ತಕಗಳಲ್ಲಿ ಮೊದಲನೇ ಮತ್ತು ಎರಡನೇ ಚಲನ್‌ಗಳಲ್ಲಿ ಸರಿಯಾದ ವಾಹನ ಸಂಖ್ಯೆ ಮತ್ತು ಮೊತ್ತವನ್ನು ನಮೂದಿಸಿ ತ್ರಿಪ್ರತಿಯಲ್ಲಿ ಬೇರೆ ಪ್ರಾಂತ್ಯಗಳ ವಾಹನ ಸಂಖ್ಯೆ ಮತ್ತು ಕಡಿಮೆ ಮೊತ್ತವನ್ನು ನಮೂದಿಸಿ ತ್ರಿಪ್ರತಿಯಲ್ಲಿ ನಮೂದಾಗಿರುವ ಕಡಿಮೆ ಮೊತ್ತವನ್ನೇ ಸರ್ಕಾರದ ಲೆಕ್ಕಕ್ಕೆ ಜಮಾ ಮಾಡಿರುತ್ತೀರಿ. ವಸೂಲಾದ ನಗದು ಹಣವನ್ನು ಉಪ ನಗದು ಪುಸ್ತಕಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳದೆ ರೂ.15,30,466-00 ಗಳನ್ನು ಮತ್ತು ಸರ್ಕಾರಕ್ಕೆ ಕಡಿಮೆ ಜಮಾ ಮಾಡಿರುವ ರೂ.1,94,617-00 ಗಳು ಸೇರಿ ಒಟ್ಟಿಗೆ ರೂ.17,25,083-00 ಗಳನ್ನು ದುರುಪಯೋಗಪಡಿಸಿಕೊಂಡಿರುತ್ತೀರಿ. ನಿಮ್ಮ ಈ ನಡತೆ ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ (ನಡತೆ) ನಿಯಮಾವಳಿ 1966 ನಿಯಮ 3 ಮತ್ತು ಕರ್ನಾಟಕ ಆರ್ಥಿಕ ಸಂಹಿತೆಯ ಅನುಚ್ಛೇದ 4(ಎ) ನ್ನು ಉಲ್ಲಂಘಿಸಿದಂತಾಗಿ ಕರ್ನಾಟಕ ನಾಗರೀಕ ಸೇವಾ ವರ್ಗೀಕರಣ,

ನಿಯಂತ್ರಣ ಮತ್ತು ಮೇಲ್ಮನವಿ ನಿಯಮಗಳು 1957ರ ಪ್ರಕಾರ
ನೀವು ಶಿಸ್ತು ಕ್ರಮಕ್ಕೆ ಅರ್ಹರಾಗಿರುತ್ತೀರಿ."

4. Pursuant thereto, an enquiry was held and, upon consideration of oral and documentary evidence placed on record, the Enquiry Officer, by report dated 23.10.2007, recorded a finding that the charge levelled against the petitioner was proved. Accordingly, submitted the enquiry report to the Government.

5. Upon receipt of the enquiry report, a copy thereof was furnished to the petitioner and a second show-cause notice was issued calling upon him to submit his explanation. After considering the reply submitted by the petitioner, the Government, by order dated 13.03.2009, imposed upon him the penalty of dismissal from service and also recovery of an amount of Rs.17,25,083/- treating it as an arrears of land revenue. Being aggrieved by the same, the petitioner approached the Tribunal by filing Application No.1519/2009 connected with Application Nos.5263/2009, 5288/2009 and 5289/2009. The Tribunal, upon consideration of the matter, allowed the applications and set aside the penalty order dated 13.03.2009 by its order dated 01.02.2012.

6. Being dissatisfied with the order passed by the Tribunal, the respondent-State preferred W.P. No.24114/2013 connected with W.P. Nos.25483-85/2013 before the Co-ordinate bench of this Court. The Co-ordinate bench of this Court, by its order dated 07.12.2018 set aside the order of the Tribunal and remitted the matter for fresh consideration in accordance with law.

7. Pursuant to the remand made by the Co-ordinate bench of this Court, the Tribunal reconsidered the matter afresh in the light of the rival submissions advanced on behalf of the parties and upon examination of the material available on record dismissed the application filed by the petitioner by its order dated 03.03.2020. Being aggrieved by the said order passed by the Tribunal, the petitioner has preferred the present writ petition.

8. Heard learned Counsel Smt. Revathi Adinatha Narde., for learned counsel Sri. Adinatha Narde appearing for the petitioner, learned Additional Government Advocate Sri. K.R Rajendra., for respondents. Perused the records and the material placed before us.

9. Apart from urging several contentions, learned Counsel appearing for the petitioner would primarily contend that the findings recorded by the Enquiry Officer and affirmed by the Tribunal are wholly unsustainable in law and on facts, being contrary to the material available on record. According to the learned counsel, the Enquiry Officer and the Tribunal failed to appreciate the aspect that, though the Government was the custodian of all the relevant records and documents, it failed to produce the original 'B' Registers and challans said to have been issued by the vehicle owners, which constituted the primary evidence necessary to substantiate the allegation that the petitioner had misappropriated a sum of Rs.17,25,083/- by removing the original records. According to the learned counsel, the calculation sheet relied upon by the respondent-authorities is erroneous and incapable of establishing the alleged loss. It was further contended that the Presenting Officer, during the course of the departmental enquiry, produced only photocopies of the documents, whereas the original records were never placed before the Enquiry Officer.

10. The learned counsel further submitted that the principal allegation against the petitioner was that he had entered the correct amounts in the first and second copies of

the challans, while deliberately recording lesser amounts in the third copy of the challans and corresponding entries in the cash book. However, according to her, the said allegation remained wholly unsubstantiated inasmuch as none of the vehicle owners, who had allegedly remitted the amounts in question at the office where the petitioner was working, were either summoned or examined during the enquiry proceedings. In the absence of such material witnesses, the finding of guilt recorded against the petitioner could not be sustained.

11. It was further contended that, in the earlier round of litigation in Application No.1519/2009, the Tribunal had set aside the order of penalty. Thereafter, pursuant to the directions issued by a Co-ordinate Bench of this Court in W.P. No.24114/2013 and connected matters, the Tribunal reconsidered the matter and affirmed the findings of the Enquiry Officer as well as the order of penalty without properly appreciating the evidence available on record.

12. Learned counsel further submitted that the testimony of PWs.1 to 4 does not constitute reliable or corroborative evidence, as none of them were eyewitnesses to the alleged acts of misappropriation, nor were they competent

or authorised persons capable of deposing regarding the alleged financial irregularities. It was also contended that the external auditor, who had detected the alleged discrepancies, had not produced the original 'B' Registers and challans for comparison and verification. According to the learned counsel, the respondents had also failed to establish that it was the duty of the petitioner to make entries relating to the challans in the cash register.

13. The learned counsel additionally drew the attention of the Court to the fact that the petitioner had been acquitted in the criminal cases registered against him in C.C. Nos.27/2010, 28/2010 and 29/2010 by judgment dated 17.01.2024 passed by the II Additional Civil Judge and JMFC, Chikkaballapura. It was contended that the acquittal recorded therein was an honourable acquittal and that some of the witnesses examined in the said criminal proceedings were also witnesses in the departmental enquiry. Therefore, when the criminal Court, on consideration of substantially the same set of facts and evidence, had acquitted the petitioner, the Enquiry Officer ought not to have arrived at a contrary conclusion holding the charges to be proved against the petitioner. With these submissions, she prays to allow the petition.

14. *Per contra*, learned Additional Government Advocate appearing on behalf of the respondents-State supported the impugned orders and submitted that the departmental enquiry was conducted strictly in accordance with law and in compliance with the principles of natural justice. It was contended that the findings recorded by the Enquiry Officer are based on cogent oral and documentary evidence and, therefore, do not warrant interference by this Court in exercise of its writ jurisdiction.

15. It was further submitted that the evidence of PWs.1 to 4 unequivocally establishes that the petitioner, while functioning as a Cashier in the office of the ARTO, Chikkaballapura, during the years 1994-99, had misappropriated Government funds to the tune of Rs.17,25,083/-. According to the learned Additional Government Advocate, apart from the oral testimony of PWs.1 to 4, the department had produced substantial documentary evidence marked as Exs.P1 to P32, including challans, cash books and other connected records, which clearly demonstrate the discrepancies in the amounts received and the amounts actually remitted. It was further submitted that the entries found in the cash books were admittedly in the handwriting of

the petitioner and that the records clearly disclose that the amounts reflected in the challans were not fully remitted either to the Bank or accounted for in the day cash book.

16. It was further contended that the original challans and receipts had been issued to the respective vehicle owners/customers in the ordinary course of business and, having regard to the considerable lapse of time, it was not possible for the department to secure the originals. Nevertheless, according to the learned Additional Government Advocate, the photocopies of the challans and allied records produced during the enquiry, read in conjunction with the oral evidence adduced by the department, sufficiently establish the misconduct alleged against the petitioner and fully justify the findings recorded by the Enquiry Officer as well as the consequential order of penalty.

17. Lastly, contended that the acquittal of the petitioner in criminal cases have no bearing on the disciplinary proceedings, as the standard of proof applicable in a criminal trial is distinct from that governing departmental enquiries. It is submitted that acquittal in a criminal case does not *ipso facto* result in exoneration in disciplinary proceedings. According to

the respondent, the strict rules of evidence are inapplicable to departmental enquiries and, unless prejudice is demonstrated, alleged procedural irregularities do not vitiate the enquiry. It is lastly contended that the scope of judicial review under Articles 226 and 227 of the Constitution is limited and this Court cannot re-appreciate the evidence or substitute its own findings for those recorded by the Enquiry Officer and affirmed by the Tribunal. With these submissions, he prays for dismissal of the petition.

18. In the light of the rival submissions and upon perusal of the records secured from the Tribunal, the following point arises for our consideration:

"Whether the Tribunal was justified in dismissing Application No.1519/2009 and affirming the penalty order dated 13.03.2009 passed by respondent No.1, imposing penalty of dismissal of the petitioner from service and also recovery of an amount of Rs.17,25,083/- from him, treating it as an arrears of land revenue?"

19. As could be gathered from the records, the charge against the petitioner is that, while serving as a Second Division Assistant-cum-Cashier in the Treasury Section of ARTO, Chikkaballapura, during the period from 15.01.1994 to

28.03.1999, he collected amounts from various vehicle owners towards statutory fees and other charges payable to the Government, but deliberately entered lesser amounts in the day cash register and remittance register and failed to account for the corresponding 'A' challans. It is alleged that, by adopting such a *modus operandi*, the petitioner misappropriated Government funds.

20. The alleged irregularities came to light during the audit of the Treasury accounts conducted on 19.03.1999 in respect of the financial year 1997-98. The auditor, upon verification of the records, noticed several discrepancies and specifically reported that, in a number of instances, the amounts reflected in the triplicate challans were lesser than those recorded in Challan 'A' and Challan 'B'. It was further noticed that, in certain cases, there were discrepancies between the vehicle numbers and the corresponding challan numbers, thereby raising serious doubts regarding the authenticity and correctness of the entries made in the official records.

21. According to the department, when the petitioner was called upon to furnish an explanation regarding the

aforesaid discrepancies, he failed to provide any satisfactory clarification. It is further alleged that the petitioner remained unauthorisedly absent from duty for a period of three days and failed to produce the relevant records sought for by the authorities. The charge-sheet also alleges that, during the period of such unauthorised absence, the petitioner removed and shifted certain important documents and records from the office to an undisclosed location, thereby obstructing verification of the records and hampering the process of enquiry.

22. Before the Enquiry Officer, the Presenting Officer examined four witnesses, who were marked as PWs.1 to 4. PW.1, who was serving as an Accounts Superintendent in the Office of the Commissioner of Transport during the years 1999–2000, deposed regarding the procedure prescribed for collection and accounting of motor vehicle tax from the public and he explained the manner in which receipts were issued under Form No.14, the maintenance of challans in triplicate, and the requirement of corresponding entries being made in the day cash book. PW.1 specifically testified that, upon verification of the records, discrepancies were noticed between the amounts reflected in the original challans and those entered

in the triplicate copies and the day cash register. The testimony of PW.1 substantially corroborates the evidence adduced by PWs.2 to 4.

23. PW.2, the then Joint Commissioner of Transport, deposed with regard to the verification of records conducted during the internal audit and the irregularities detected therein. PW.3 categorically stated that the petitioner, who was functioning as the Cashier during the relevant period, had misappropriated Government funds to the extent of Rs.17,25,083/-. PW.4 also supported the departmental case and spoke to the discrepancies noticed in the records maintained in the ARTO, Chikkaballapura. Though all the witnesses were subjected to detailed cross-examination, nothing substantial was elicited to discredit their testimony or to cast any serious doubt on the veracity of the statements made by them.

24. The cumulative and corroborative effect of the evidence of PWs.1 to 4, read in conjunction with the documentary material produced before the Enquiry Officer, clearly establishes that there was misappropriation of Government funds amounting to Rs.17,25,083/- during the

period when the petitioner was functioning as the Cashier in the ARTO, Chikkaballapura.

25. The contention urged on behalf of the petitioner that the original challans and the 'B' Register were not produced during the enquiry proceedings and that the findings are based only on photocopies of documents, in the considered view of this Court, cannot be accepted. The original challans, having been issued to the respective vehicle owners in the ordinary course of official business, were no longer available in the custody of the department. Having regard to the considerable lapse of time, it would be impracticable, if not impossible, for the department to trace all such vehicle owners, summon them as witnesses and secure production of the original challans from their possession.

26. It is true that the 'B' Register was not produced by the department. However, Ex.P19-series of challans and Ex.P20-day cash register, assume significance in the facts of the present case. A comparison of the entries contained therein clearly discloses that the amounts reflected in the challans were not correspondingly entered in the day cash register. In the absence of any plausible explanation from the petitioner, and

having regard to the fact that he was the Cashier responsible for maintaining the relevant accounts, an adverse inference can legitimately be drawn that the amounts collected were not duly accounted for in the official records.

27. The petitioner has also not chosen to examine any witness in support of his defence or to substantiate his contention that he had been falsely implicated out of malice or vengeance. The defence, therefore, remains a bare assertion unsupported by any independent material.

28. Learned counsel for the petitioner placed reliance upon the decision of the Hon'ble Supreme Court in **J. YASHODA V. K. SHOBHA RANI** reported in **(2007) 5 SCC 730**, to contend that secondary evidence is inadmissible unless the existence and execution of the original document are first established. The said principle, however, does not advance the case of the petitioner in the peculiar facts of the present matter. Although Ex.P19-challans and Ex.P20-day cash register are photocopies, the same were duly identified by PWs.1 to 4 during their evidence. Significantly, it was never suggested to any of these witnesses in cross-examination that the said documents did not pertain to ARTO, Chikkaballapura, or that

they were unrelated to the period during which the petitioner was serving therein. In such circumstances, the existence, authenticity and relevance of the documents stand sufficiently established for the purpose of a departmental enquiry, where the strict rules of evidence applicable to judicial proceedings do not apply with the same rigour. Accordingly, the contention that the findings of the Enquiry Officer are liable to be discarded solely on the ground that photocopies of the documents were relied upon cannot be accepted.

29. This Court is unable to accede to the contention of the learned counsel for the petitioner that, merely because the petitioner has been acquitted in the criminal proceedings on the basis of the same charge and substantially the same evidence, the disciplinary proceedings cannot be sustained. The said issue is no longer *res integra* and stands concluded by a catena of decisions of the Hon'ble Supreme Court, more particularly, in **SHASHI BHUSHAN PRASAD VS. INSPECTOR, CENTRAL INDUSTRIAL SECURITY FORCE AND OTHERS**, reported in **(2019) 7 SCC 797**. Paragraph No.19 of the said judgment, which is relevant for the purpose of the present case, reads thus:

"19. We are in full agreement with the exposition of law laid down by this Court and it is fairly well settled that two proceedings criminal and departmental are entirely different. They operate in different fields and have different objectives. Whereas the object of criminal trial is to inflict appropriate punishment on an offender, the purpose of enquiry proceedings is to deal with the delinquent departmentally and to impose penalty in accordance with the service rules. The degree of proof which is necessary to order a conviction is different from the degree of proof necessary to record the commission of delinquency. Even the rule relating to appreciation of evidence in the two proceedings is also not similar. In criminal law, burden of proof is on the prosecution and unless the prosecution is able to prove the guilt of the accused beyond reasonable doubt, he cannot be convicted by a court of law whereas in the departmental enquiry, penalty can be imposed on the delinquent on a finding recorded on the basis of "preponderance of probability". Acquittal by the court of competent jurisdiction in a judicial proceeding does not ipso facto absolve the delinquent from the liability under the disciplinary jurisdiction of the authority. This is what has been considered by the High Court in the impugned judgment in detail and needs no interference by this Court."

30. In the present case, the evidence of PWs.1 to 4, coupled with the documentary evidence on record, clearly establishes the charges levelled against the petitioner. The said evidence has been duly appreciated by the Enquiry Officer and affirmed by the Tribunal. This Court finds no perversity or illegality in the findings recorded by the authorities below.

31. Having regard to the gravity of the proved misconduct i.e. misappropriation of Government funds to the tune of Rs.17,25,083/-, the penalty imposed cannot be said to be disproportionate. Accordingly, no ground is made out for interference with the enquiry report, the order of penalty, or the impugned order of the Tribunal. Thus, the point for consideration is answered in the *affirmative* and against the petitioner. Consequently, the writ petition stands ***dismissed***.

**SD/-
(S.G.PANDIT)
JUDGE**

**SD/-
(RAJESH RAI K)
JUDGE**

PKS/K