

(2018) 11 DEL CK 0293

In the Delhi High Court

Case No : Civil Writ Petitions No. 6138, 7702, 8912, 10739 Of 2017

Pawan Kumar & Ors

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 28-11-2018

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2018) 11 DEL CK 0293

Hon'ble Judges : S.Muralidhar, J;Sanjeev Narula, J

Bench : Division Bench

Advocate : Ankur Chhibber, Bhanu Gupta, Ravi Prakash, Varun Pathak, Harish Garg, Sarfaraz Ahmad, Narender Mann, Manoj Pant, Rakesh Kumar

Final Decision : Dismissed

Judgement

1.,2.,3.,4.,5.,6.,7.,8.,9.,10.,11.,12.,13.,

Constable *1794 General Pay Not Not Not Not Not Hundred per cent Deputation/
absorption Not Not

(GD) (2013) Central Band-
ApplicableApplicableApplicableApplicableApplicabledeputation/absorption.
Deputation: (i) ApplicableApplicable

*Subject Service, 1 Rs Note: The total Officials holding
to Group 'C' 5200- number or strength of analogous posts on
variation NonGazetted,20200 Constables absorbed regular basis in
dependantNonMinisterial plus shall not exceed fifty Central or State
on grade percent of the total Police Forces; and
workload pay strength of (ii) possessing the
of Rs. Constables. minimum educational

2000 qualifications of 12th class pass or equivalent from any recognised Board or University. Note 1: For purpose of appointment on deputation/absorption basis, the service rendered on a regular basis by an officer prior to 1st January, 2006 or the date from which the revised pay structure based on the Sixth Central Pay Commission recommendations has been extended, shall be deemed to be service rendered in the corresponding grade pay or pay scale extended based on the recommendations of the Commission, except where there has been merger of more than one pre -

revised scale of pay
into one grade with a
common grade pay or
pay scale, and where
this benefit will
extend only for the
post(s) for which that
grade pay or pay
scale is the normal
replacement grade
without any
upgradation. Note 2:
The period of
deputation including
period of deputation
in another ex -cadre
post held immediately
preceding this
appointment in same
or some other
organisation shall
ordinarily not exceed
seven years subject
to screening midway
for assessing fitness
and suitability for
continuation on
deputation and if a
person is found
unsuitable for

continuation on

5. On 29th July 2015, Director CBI convened a meeting to deliberate upon the process of absorption. It was decided to increase the strength by filling up

vacancies expeditiously. Accordingly, a committee was constituted to work out the modalities of the absorption process.

6. On 27th October 2016, CBI issued a letter whereby it invited recommendations for the candidates who could be absorbed in CBI. In order to consider the

candidature of a deputationist Constables, certain guidelines were laid down. These guidelines/criteria inter-alia provided minimum education qualification for

induction in CBI. Various branches of CBI were called upon to send recommendations in accordance with the following Rules:

â??(1) Constables must have a minimum education qualification of 12th class pass or equivalent", "Constable

(GD)", "*1794

(2013)

*Subject

to

variation

dependant

on

workload", "General

Central

Service,

Group 'C'

NonGazetted,

NonMinisterial", "Pay

Band-

1 Rs

5200-

20200

plus

grade
pay
of Rs.
2000", "Not
Applicable", "Not
Applicable", "Not
Applicable", "Not
Applicable", "Not
Applicable", "Hundred per cent
deputation/absorption.
Note: The total
number or strength of
Constables absorbed
shall not exceed fifty
percent of the total
strength of
Constables.", "Deputation/absorption
Deputation: (i)
Officials holding
analogous posts on
regular basis in
Central or State
Police Forces; and
(ii) possessing the
minimum educational
qualifications of 12th
class pass or
equivalent from any
recognised Board or
University. Note 1:

For purpose of
appointment on
deputation/absorption
basis, the service
rendered on a regular
basis by an officer
prior to 1st January,
2006 or the date from
which the revised pay
structure based on
the Sixth Central Pay
Commission
recommendations has
been extended, shall
be deemed to be
service rendered in
the corresponding
grade pay or pay
scale extended based
on the
recommendations of
the Commission,
except where there
has been merger of
more than one pre -
revised scale of pay
into one grade with a
common grade pay or
pay scale, and where
this benefit will

extend only for the
post(s) for which that
grade pay or pay
scale is the normal
replacement grade
without any
upgradation. Note 2:
The period of
deputation including
period of deputation
in another ex -cadre
post held immediately
preceding this
appointment in same
or some other
organisation shall
ordinarily not exceed
seven years subject
to screening midway
for assessing fitness
and suitability for
continuation on
deputation and if a
person is found
unsuitable for
continuation on", "Not
Applicable", "Not
Applicable

(2) Constables must be drawing pay in the pre-revised pay scale of Rs. 5200-20200/- with Grade Pay of Rs. 2000/- and revised pay scale of Rs.

21700-69100,,,,,,,,,,,,,

corresponding to Level -3 of 7th CPC Constables who are from CPOs and are in receipt of higher pay scale under ACP scheme are also eligible for,,,,,,,,,,,,,

absorption,,,,,,,,,,,,,

(3) Constables drawing pay in the pre-revised pay scales higher than Rs 5200-20200/- with Grade pay of Rs. 2000/- and revised pay scale of Rs. 21700-69100,,,,,,,,,,,,,

corresponding to Level-3 to 7th CPC in their parent organizations are not eligible for absorption and their applications / recommendations should not be sent,,,,,,,,,,,,,

(4) It is also made clear that service rendered by Constables in State Police Organisations will not be counted for grant of financial upgradation under ACP,,,,,,,,,,,,,

scheme on absorption in CBI. The service after absorption in CBI is to be taken into account for the purpose of determining the reckonable service for financial,,,,,,,,,,,,,

upgradation under ACP Scheme,,,,,,,,,,,,,

(5) The performance of Constables who will be considered and absorbed in CBI will be monitored for a period of 2 years and if their services are not found,,,,,,,,,,,,,

satisfactory they may be considered for de-absorption and repatriation to parent deptt,,,,,,,,,,,,,

(6) Constables who have completed their 4 years of deputation in CBI as on 31.03.2016 and are still serving in CBI on deputation will be considered for,,,,,,,,,,,,,

absorption. The recommendations in respect of such Constables only be sent,,,,,,,,,,,,,

(7) While sending the proposals for absorption a citation in support of their candidature indicating the detailed reasons, rewards/commendations earned by the",,,,,,,,,,,,,

individual may also be enclosed with the proforma for each candidate separately,,,,,,,,,,,,,

(8) Complete ACR folder pertaining to the period of work in CBI may be sent along with recommendations. The integrity of the individual and a vigilance,,,,,,,,,,,,,

certificate may also be furnished,,,,,,,,,,,,,

(9) Recommendations received with incomplete information are liable to be rejected forthwith without any intimation.â??,,,,,,,,,

7. In continuation of the letter dated 27th October 2016, Respondents issued another letter dated 31st October 2016. By this letter, the minimum educational",,,,,,,,,

qualification criteria was modified to include candidates who possessed qualification of 10th pass and above and had completed two years in CBI, as on 31st",,,,,,,,,

March 2016.,,,,,,,,,

8. Respective branches of CBI forwarded the names of the Petitioners with their citations and recommendations.,,,,,,,,,

9. Certain Constables, filed writ petition bearing number W.P. (C) No. 11297/2016 titled as Raju Singh and Ors v. Union of India and Ors. and challenged the",,,,,,,,,

notifications dated 27th October 2016 and 31st October 2016 on the ground that the eligibility criteria of including candidates possessing educational qualification.,,,,,,,,,

of 10th pass and above, was in violation of the Recruitment Rules. This Court vide order dated 6th December 2016, issued notice of the Petition to the",,,,,,,,,

Respondents.,,,,,,,,,

10. On 25th May 2017, CBI issued a letter and withdrew the earlier circulars dated 27th October 2016 and 31st October 2016 with immediate effect.",,,,,,,,,

11. Aggrieved by the withdrawal of circulars, Petitioners made representations to CBI.",,,,,,,,,

12. It is also to be noted that in the meantime, CBI issued orders relieving some of the Petitioners on repatriation. Such Petitioners were directed to report to",,,,,,,,,

duty in their parent department. It appears that some of the Petitioners sought earned leave and the same was sanctioned and such Constables were asked to,,,,,,,,

join the parent department after expiry of the earned leave.,,,,,,,,,

13. On 11th July 2017, CBI issued fresh circular for considering the candidature of deputationist Constables for absorption. This",,,,,,,,,

circular laid down the following guidelines/criteria:,,,,,,,,

â??(1) Constables must have a minimum education qualification of 12th class

pass or equivalent,,,,,,,,,,,,,

(2) Constables must be drawing pay in the pre-revised pay scale of Rs. 5200-20200/- with Grade Pay of Rs. 2000/- and revised pay scale of Rs. 21700-69100,,,,,,,,,,,,,

corresponding to Level -3 of 7th CPC Constables who are from CPOs and are in receipt of higher pay scale under ACP scheme are also eligible for,,,,,,,,,,,,,

absorption,,,,,,,,,,,,,

(3) Constables drawing pay in the pre-revised pay scales higher than Rs 5200-20200/- with Grade pay of Rs. 2000/- and revised pay scale of Rs. 21700-69100,,,,,,,,,,,,,

corresponding to Level-3 to 7th CPC in their parent organizations are not eligible for absorption and their applications / recommendations should not be sent,,,,,,,,,,,,,

(4) It is also made clear that service rendered by Constables in State Police Organisations will not be counted for grant of financial upgradation under ACP,,,,,,,,,,,,,

scheme on absorption in CBI. The service after absorption in CBI is to be taken into account for the purpose of determining the reckonable service for financial,,,,,,,,,,,,,

upgradation under ACP Scheme,,,,,,,,,,,,,

(5) The performance of Constables who will be considered and absorbed in CBI will be monitored for a period of 2 years and if their services are not found,,,,,,,,,,,,,

satisfactory they may be considered for de-absorption and repatriation to parent deptt.,,,,,,,,,,,,,,

(6) Constables who have completed their 4 years of deputation in CBI as on the date on the issue of this circular (11.07.2017) and have not exceeded 07 years,,,,,,,,,,,,,

of maximum tenure on deputation will be considered for absorption. The recommendations in respect of such Constables only be sent.,,,,,,,,,,,,,,

(7) While sending the proposals for absorption a citation in support of their candidature indicating the detailed reasons, rewards/commendations earned by the" ,,,,,,,,,,,,,,

individual may also be enclosed with the proforma for each candidate separately.,,,,,,,,,,,,,,

(8) Complete ACR folder pertaining to the period of work in CBI may be sent along with recommendations (if already sent please ignore). The integrity of

the,,,,,,,,,,,,,

individual and a vigilance certificate may also be furnished.,,,,,,,,,,,,,,

(9) Recommendations received with incomplete information are liable to be rejected forthwith without any intimation.â??,,,,,,,,,,,,,,

14. The Petitioners have challenged the aforesaid circular in the present writ petitions. An application bearing number C.M. No. 25510/2017 was also filed,,,,,,,,,,,,,

seeking interim order and stay of the operation of circular dated 11th July 2017. In the alternative, permission was sought to participate in the absorption",,,,,,,,,,,,,,

process. On the said application the following order was passed:,,,,,,,,,,,,,

â??Issue notice returnable on 1st September, 2017.",,,,,,,,,,,,,

Counter affidavit would be filed within three weeks. Rejoinder, if any, within three weeks of service of counter affidavit.",,,,,,,,,,,,,

The contention of the petitioners is that there is no valid and good reason to impose the condition â??not exceeded seven years of maximum tenure on,,,,,,,,,,,,,

deputationâ? to be considered for absorption. The petitioners further state that in terms of circulars dated 22nd October, 2016 and 31st October, 2016 they were",,,,,,,,,,,,,,

considered for absorption in the Central Bureau of Investigation and the process was almost complete. No objection certificates had been obtained from the,,,,,,,,,,,,,

parent cadre. However, subsequently, these circulars were withdrawn and in these circumstances with effect from 1st June, 2017, repatriation orders have",,,,,,,,,,,,,,

been issued by the Central Bureau of Investigation.,,,,,,,,,,,,,,

The recruitment process pursuant to the notification dated 11th July, 2017 may continue, but appointments made would be subject to the outcome of the present",,,,,,,,,,,,,,

writ petition.â??,,,,,,,,,,,,,,

Submissions,,,,,,,,,,,,,

15. Mr. Ankur Chhibber learned counsel appearing on behalf of the Petitioners at the outset submits that Petitioners have since been repatriated to their parent,,,,,,,,,,,,,

department and they have since joined the same. Mr. Chibber argues that

despite the above situation, the present petition is still maintainable, as the Petitioners" ,,,,,,,,,

have been protected by the interim order reproduced above. His argument is twofold. Firstly, he submits that the eligibility criteria specified in the circular dated" ,,,,,,,,,

11th July 2017, is contrary to the Recruitment Rules. His submission is that the Recruitment Rules nowhere provide that a deputationist Constable who has been" ,,,,,,,,,

with the organisation for more than seven years, would have been ineligible for absorption. He relied upon the note appearing in the Recruitment Rules and" ,,,,,,,,,

stated that the said proviso only states that the period of deputation shall ordinarily not exceed seven years. Mr. Chibber argues that, the guidelines in the" ,,,,,,,,,

impugned circular, are in violation of the Recruitment Rules as they completely bar a Constable who has exceeded 7 years on deputation, from being" ,,,,,,,,,

considered. He strongly urged that CBI could not take away the Petitioners' right to be considered for absorption. Mr. Chibber very fairly stated that ,,,,,,,,,

Deputationist do not have an automatic right of absorption but, they surely have a right of consideration." ,,,,,,,,,

16. The second limb of his argument is that the Petitioners had a legitimate expectation for being considered for absorption in light of the assurance given to ,,,,,,,,,

them by the Authorities. He says the assurance is evident from the fact that the Director, CBI had directed a note initiating process of absorption resulting in" ,,,,,,,,,

issuance of the circulars dated 27th October 2016 and 31st October 2016. Pursuant to the abovementioned circulars, the Petitioners were recommended for" ,,,,,,,,,

absorption. He submits that vide communication dated 25th May 2017, the Respondents have withdrawn the Circular, without giving any reasons. He further" ,,,,,,,,,

submits that the Petitioners during their deputation with CBI were highly appreciated by the Department and for this reason several extension were granted to ,,,,,,,,,

them with the assurance that ultimately they would be absorbed in CBI. According to him, this creates a right in their favour for being considered for" ,,,,,,,,,

absorption. He prayed that directions be given to the Respondents to consider Petitioners for absorption. In support of his argument, Mr. Chibber has relied",,,,,,,,,

upon the judgment of the Supreme Court in the case of Rameshwar Prasad v. Managing Director, U.P. Rajkiya Nirman Nigam Ltd & Ors., reported in (1999)",,,,,,,,,

8 SCC 381., Ram Pravesh Singh & Ors v. State of Bihar & Ors, reported in (2006) 8 SCC 381 and Girjesh Shrivastava & Ors v. State of Madhya Pradesh &",,,,,,,,, Ors, reported in (2010) 10 SCC 707.",,,,,,,,,

17. Mr. Ravi Prakash learned CGSC appearing on behalf of the Respondents on the other hand has urged that the petition has become infructuous in as much,,,,,,,,

as the petitioners have been repatriated and they have since joined their parent department. He submits that it is evident from the Recruitment Rules and also,,,,,,,,

the impugned circular that only such Constables can be considered for absorption, who are on deputation with CBI. Since the Petitioners are no longer on the",,,,,,,,,

strength of CBI, they cannot be said to be deputationist and therefore there is no right in their favour of being considered for absorption. He further",,,,,,,,,

submits that CBI has rightly withdrawn the earlier circulars of 27th October 2016 and 31st October 2016, since the eligibility criteria in these circulars was not",,,,,,,,,

in sync with the Recruitment Rules. He submits that no fault can be attributed to CBI, for correcting a wrong. He relied upon the observations made by this",,,,,,,,,

court viz Clause 6 of the impugned circular, by referring to the order dated 26th July 2017, passed in C.M. No. 26330/2017 wherein it has been categorically",,,,,,,,,

recorded as under:,,,,,,,,

Reliance placed by the petitioners on circular dated 11th July, 2017 is misconceived. Clause-6 of the circular will only apply to the persons who are still on",,,,,,,,,

deputation on the date when circular dated 11th July, 2017 was issued. This is clear from paragraph 2 of the Circular dated 11th July, 2017. Learned counsel for",,,,,,,,,

the applicant has drawn our attention to the earlier circular dated 27th October

2016 wherein the expression "and are still serving in CBI on deputation?" was,,,,,,,,,,,,,

used. This too in our opinion would not make any difference and cannot be a ground to read clause -6 of the circular dated 11th July, 2017 differently. The",,,,,,,,,,,,,

language of Clause 6 of the circular dated 11.07.2017 is clear and catagoric. Officers who are not serving in the CBI on deputation on 11th July, 2017, are not",,,,,,,,,,,,,

eligible,,,,,,,,,,,,,

In these circumstances, we do not think the applicant is entitled to any interim relief in view of circular dated 11th July, 2017. We dismiss the present",,,,,,,,,,,,,

application, however, making it clear that it is open to the petitioner to challenge the said circular if he is so advised, in accordance with law.",,,,,,,,,,,,,

We also clarify that the disposal of this application would not affect any right of the petitioner under earlier circulars dated 27th October, 2016 and 31st October,",,,,,,,,,,,,,

2016 as also the challenge to withdrawal of these circulars.â??,,,,,,,,,,,,,

18. Mr. Ravi Prakash relied upon Note II of the Recruitment Rules and urged that it is clearly mentioned therein that period of deputation with CBI, including",,,,,,,,,,,,,

the period of deputation in another ex cadre posts shallordinarily not exceed seven years, subject to screening midway for assessing fitness and suitability for",,,,,,,,,,,,,

continuation on deputation. His submission is that the total deputation period in a particular case shall not exceed seven years and this includes the period,,,,,,,,,,,,,

rendered on deputation in other organisations, prior to coming on deputation with CBI. Mr Ravi Prakash therefore urged that the circular dated 11th July 2017 is",,,,,,,,,,,,,

in conformity with the relevant Clause of Recruitment Rules. Finally, Mr. Ravi Prakash submitted that the names of the Petitioners were never recommended",,,,,,,,,,,,,

by the committee constituted for absorption. No NOC was received from the parent organisation and therefore the Petitioners cannot say that they had,,,,,,,,,,,,,

legitimate expectation for being considered for absorption,,,,,,,,,,,,,

Findings,,,,,,,,,,,,,

19. The question before the Court is rather a simple one. Do the Petitioners have a right of being considered for absorption? The right to be considered for,,,,,,,,, absorption would arise only if the Petitioners are eligible for absorption, as per the Recruitment Rules. A careful reading of Note II of the Recruitment Rules",,,,,,,,,

distinctly indicates that the candidates, who are to be considered for absorption, should be on deputation with CBI on the date of consideration. The concept of",,,,,,,,,

midterm review to assess eligibility and suitability of a candidate for continuation of deputation prior to appointment on absorption basis, undeniably means that",,,,,,,,,

only such persons would be eligible, who are presently serving with CBI on deputation. This is also clear from the language of Clause 6 of the impugned",,,,,,,,,

circular. In the present case as on date, none of the Petitioners are on deputation. We therefore find no basis for the Petitioners to seek directions to CBI to",,,,,,,,,

Â consider their candidature. We note that this Court had passed an interim order, observing that the recruitment process pursuant to the notification dated 11th",,,,,,,,,

July 2017 may continue, but such appointments would be Â subject to outcome of the petition.Â However, such an order does not vest a right in favour of the",,,,,,,,,

Petitioners. Even if this Court were to quash the recruitment process, it would only mean that the appointments made pursuant to the impugned notification are",,,,,,,,,

invalid. Petitioners would not acquire the eligibility for being considered. In absence of any vested right, the petitioners cannot succeed. Therefore, we fail to see",,,,,,,,,

as to how the interim protection granted to the Petitioners would in any manner render them eligible as per the Recruitment Rules. The Petitioners are presently,,,,,,,,,

on the strength of their respective parent departments.,,,,,,,,,,

20. It is well settled in law that a person has no vested right to continue on deputation or to be absorbed. The law relating to deputation has been settled in,,,,,,,,,

several judgments. The Supreme Court in Kunal Nanda v. Union of India & Anr., reported in, (2000) 5 SCC 362, held as under:",,,,,,,,,

6. It is well settled that unless the claim of the deputationist for a permanent absorption in the department where he works on deputation is based upon,

any statutory rule, regulation or order having force of law, a deputationist cannot assert and succeed in any such claim for absorption. The basic principle",

underlying deputation itself is that the person concerned can always and at any time be repatriated to his parent department and there is no vested right in such,

a person to continue for long on deputation or get absorbed in the department to which he had gone on deputation.",

21. Similar view has been expressed by the Supreme Court in Union of India v. V. Ramakrishnan & Ors, reported in (2005) 8 SCC 394, Union of India (UOI)",

and Ors. vs. S.A. Khailiq Pasha and Ors. reported in MANU/SC/1536/2009 and by the Division Bench of this Court in the case of Chander Pal Singh v. Union,

of India & Ors., reported in 104 (2003) DLT 8.",

22. Besides the above mentioned reason, there is another, as to why the Petitions should fail. The circular impugned in the present petition stipulates that the",

constables who have not exceeded 7 years on deputation will be considered for absorption. This is in line with Note II of the Recruitment Rules of 2013. The,

period of seven years provided in Clause 6 of the impugned circular deals with the maximum tenure on deputation.,

Therefore, we do not find any infirmity in the impugned circular that would warrant an intervention by this Court. We note that the earlier circular of 27th",

October 2016, modified by letter dated 31st October 2016, did bring in an element of conflict with the Recruitment Rules. CBI has stated that they sought",

intervention of DoPT for relaxation of the eligibility criterion, but the request was declined and CBI had to withdraw the said circular. This action of withdrawal",

does not appear to be arbitrary. The fresh circular issued after withdrawal is in conformity with the Recruitment Rules.,

23. Petitioners plea of legitimate expectation is also without merit. Merely

because the Petitioners continued to be on deputation for a period of seven years or,,,,,,,,,,,,,

more, it cannot be said that a right has accrued in their favour. The delay on the part of CBI to complete this absorption process was also on account of the",,,,,,,,,,,,,

earlier circulars being contrary to the Recruitment Rules. Mr. Chibber relies on the Judgment of the Supreme Court in the case of Ram Pravesh Singh & Ors v,,,,,,,,,,,,,

State of Bihar & Ors, (2006) 8 SCC 381. This judgment is distinguishable from the facts of the present case. The Appellant therein were working for the",,,,,,,,,,,,,

Futwah-Phulwarisharif Gramya Vidyut Sahakari Samiti Ltd. (for short the Society). This society was brought into existence by the Bihar Government,,,,,,,,,,,,,

and the Bihar State Electricity Board by issuing a license to the Society under the State Electricity Act. Thereafter the license issued to the society was revoked,,,,,,,,,,,,,

and it was merged with the Board. On account of this merger, the Appellants claimed a right to be absorbed relying on the doctrine of legitimate expectation.",,,,,,,,,,,,,

24. Further, the judgment of the Supreme Court in Rameshwar Prasad (supra) is also of no assistance to the Petitioners. In the said case the Petitioner who",,,,,,,,,,,,,

was on deputation claimed that he should be declared to be deemed to be absorbed on the ground that the parent department had stopped paying him deputation,,,,,,,,,,,,,

allowance,,,,,,,,,,,,,

25. It is worth noting what has been stated in para 15, relevant portion thereof is reproduced below:",,,,,,,,,,,,,

15. In the present case, considering the facts, it is apparent that inaction of respondent No. 1 of not passing the order either for repatriation or absorption",,,,,,,,,,,,,

qua the appellant was unjustified and arbitrary.",,,,,,,,,,,,,

(emphasis supplied),,,,,,,,,,,,,,

26. The facts of Rameshwar Prasad (supra) therefore are completely differentiable, in as much as the Petitioner in the said case",,,,,,,,,,,,,

continued to be with borrowing department and there was no order for

repatriation. In the instant case as noted above, all the Petitioners have been repatriated",,,,,,,,,

and they have joined their parent department.,,,,,,,,,

27. Similarly, the judgment of the Supreme Court in Girjesh Shrivastava & Ors v. State of Madhya Pradesh & Ors, (2010) 10 SCC 707, is also not relevant to",,,,,,,,,

the facts of the present case. In the above noted case the Apex Court held that if there are irregularities in a selection process, then those irregularities should",,,,,,,,,

be weeded out instead of striking down the entire selection process. Whereas, in the present case, the earlier circulars that have been withdrawn, were contrary",,,,,,,,,

to the Recruitment Rules. This would mean that the entire process had to be done afresh.,,,,,,,,,

28. In view of the aforementioned discussion, we find no merit in the present petitions and the same are dismissed with no order as to costs.",,,,,,,,,