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

Reserved on: 07.10.2021
Date of Decision: October 29, 2021

\+ **W.P.(C) 11504/2021 & CM APPLs. 35452-3/2021**

KISHORE CHANDRA SAHOO ..... Petitioner

Through: Mr.Pradeep Gupta, Mr.Parinav Gupta, Ms.Mansi Gupta & Ms.Mamta Sharma, Advs.

Versus

UNION OF INDIA AND ORS. ..... Respondents

Through: Mr.Akshay Amritanshu, Sr. Panel Counsel with Mr.Rishiraj, GP.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN
HON'BLE MR. JUSTICE NAVIN CHAWLA

NAVIN CHAWLA, J.

1. This petition has been filed by the petitioner challenging the order dated 04.06.2021 passed by the Inspector General, Rajasthan Frontier, Border Security Force, Mandore Road, Jodhpur (hereinafter referred to as 'IG Raj. Frontier'), dismissing the representation preferred by the petitioner in challenge to the order dated 30.11.2020 passed by the respondent no. 3, whereby the petitioner was dismissed from service in exercise of power under Section 11(2) of the Border

Security Force Act, 1968 (hereinafter referred to as the 'Act') read with Rule 177 and Rule 22 of the Border Security Force Rules, 1969 (hereinafter referred to as the 'Rules'). The petitioner further challenges the order dated 18.08.2021 passed by the respondent no. 2 dismissing the appeal of the petitioner against the order dated 04.06.2021 on the ground of same being not maintainable.

2. The petitioner had joined the Border Security Force (hereinafter referred to as 'BSF') as a Constable on 20.01.2002. On an allegation that on 23.11.2020 at about 1337 hours, while being deployed at BOP Kalka of 114 Bn BSF, the petitioner had taken his mobile phone on duty and contacted a suspected Pakistan Intelligence Operative (hereinafter referred to as 'PIO') and that during a search of his belonging he was found in possession of four mobile phones and five SIM cards, a Staff Court of Inquiry (hereinafter referred to as 'SCOI') was ordered by SHQ BSF Bikaner, vide order dated 27.11.2020. The SCOI had confirmed the abovesaid allegations and found the petitioner guilty of remaining in contact with the said PIO since 2018 and regularly conversing with him on messenger account; establishing a voice call from his registered mobile number with the said PIO on 23.11.2020 at 1337 hours while being deployed in OP Duty of BOP Kalka and having a conversation of eight minutes forty-six seconds with the said PIO; and possessing four mobile phones and five SIM cards and regularly carrying said mobile phones during duty hours, day and night, in contravention of the Standard Operating Procedures and Instructions. The respondent no. 3 found that the above conduct of

the petitioner was prejudicial to national security and to the force discipline and his further retention in service was undesirable in the national interest. The respondent no. 3 further found that an opportunity of showing cause to the petitioner and his likely reply may disclose many minute operational and deployment related secret information, examination/scrutiny of which by non-authorized persons will jeopardize the security of International border for which reason petitioner's trial by a Security Force Court is also inexpedient. Based on the above opinion and in exercise of powers under Section 11(2) of the Act read with Rule 177 and Rule 22 of the Rules, the petitioner was dismissed from service vide order dated 30.11.2020 passed by the respondent no. 3.

3. The petitioner being aggrieved of the above order filed representations dated 30.01.2021 and 04.02.2021 thereagainst.

4. The petitioner then filed a Writ Petition before this Court being W.P. (C) 3041/2021, titled ***Kishore Chandra Sahoo*** **v.** ***Director General Border Security Force & Ors.***, praying for a direction to the respondent nos. 1 and 2 to decide petitioner's representations. The said Writ Petition was disposed of by this Court vide its order dated 09.03.2021 directing the IG Raj. Frontier to decide the petitioner's representation dated 30.01.2021 by way of a reasoned order as expeditiously as possible.

5. The IG Raj. Frontier vide Impugned Order dated 04.06.2021 was pleased to dismiss the representation/appeal of the petitioner observing as under:

> "*6. Whereas, it is evident from the SCOI/records that the accused had committed gross violation of the Force discipline, wherein carrying of 04 numbers of mobile phones on Indo-Pakistan International Border and contacting to PIOs, resultantly cause greater danger to the security of the states. Besides, his involvement also prejudicial to national interest. He was provided reasonable opportunity during conduct of SCOI and no prejudice has been caused to him. During conduct of SCOI, under the provisions of BSF Rule 173(8), he was provided opportunities to cross examine any witness who gave evidence against him, to make statement in his defence as well as to call any witness or produce any evidence in his defence but he declined to avail any of these opportunities.*
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> *In view of forgoing and after careful considerations of all the facts and circumstances of the case, IG Ftr HQ BSF Rajasthan arrived at the conclusion that the dismissal order dated 30.11.2020 is just and proper and same does not warrant any interference. Therefore, the IG Ftr HQ BSF Rajasthan has rejected the statutory petition dated 30.01.2021 as well as application dated 04.02.2021 submitted by the petitioner for re-instatement in service being devoid of merit.*"

6. Aggrieved of the same, the petitioner filed a further representation/appeal dated 03.07.2021 to the respondent no.2, which was dismissed by the respondent no. 2 vide Impugned Order dated 18.08.2021 holding the same to be not maintainable, with the following observation:

> "*2. I am directed to inform you that you were dismissed from service by Commandant, 114 Bn BSF under Rule 22 of BSF Rule read*

with Section 11(2) of BSF Act for your involvement in acts prejudicial to nation's security.

3. Since, you were dismissed for your misconduct under BSF Rule 22, therefore, you had one opportunity to prefer appeal against your dismissal as per provision of BSF Rule 28(A) and you had availed that opportunity and your appeal has already been decided by IG, Ftr. HQ BSF Rajasthan vide No. 6645-51 dated 04 June, 2021, which was also in compliance to Hon'ble High Court at Delhi order dated 30 Jan, 2021 passed in WP(C) No. 3041/2021 filed by you.

4. As you have already availed legal remedy of Appeal under Rule 28(A) of BSF Rules, 1969, no further appeal lies under BSF Act and Rules. Hence your petition is rejected being non maintainable."

7. The petitioner has filed the present petition challenging the order dated 04.06.2021 passed by the IG Raj. Frontier, the order 18.08.2021 passed by the respondent no. 2, as also seeking reinstatement in the service.

8. The learned counsel for the petitioner submits that the Impugned Orders have failed to appreciate that in terms of Section 11(2) of the Act, respondent no. 3 (a Commandant) was not competent to pass the order dated 30.11.2020, dismissing the petitioner from service. He submits that under Section 11(2), such power can be exercised only by the Director General/Inspector General, BSF and not by a Commandant.

9. The learned counsel for the petitioner further submits that the petitioner has been dismissed from service without holding a regular departmental inquiry thereby violating the Principles of Natural Justice. He submits that there was no material to show that it was necessary to dispense with a formal inquiry in the present case. In support of his submission, he places reliance on the judgments of the Supreme Court in ***Tarsem Singh vs. State of Punjab and Ors.***, (2006) 13 SCC 581 and ***Hari Niwas Gupta vs. State of Bihar and Anr.***, (2020) 3 SCC 153; as also the judgments of this Court in ***Yacub Kispotta & Ors. vs. Director General BSF & Ors.,*** 2015 SCC OnLine Del 12437 and ***Sudesh Kumar vs. Union of India***, 1997 SCC OnLine Del 483.

10. He further submits that by an order dated 27.11.2020, the petitioner was placed under suspension, stating that the disciplinary proceeding against the petitioner was being contemplated. It was thereafter and only with the change of the Commandant, such opinion was also changed. The new Commandant decided to proceed against the petitioner without holding a proper disciplinary proceeding and summarily dismissing the petitioner from service on 30.11.2020. He submits that this itself proves ulterior motive and colourable exercise of power on behalf of the respondent no. 3.

11. The learned counsel for the petitioner further submits that even otherwise, on facts, no case was made out against the petitioner. The petitioner had become a friend of the alleged PIO on social media and had been in regular contact with him. The Facebook profile of that

person showed that he was an Indian and in fact working in the Indian Armed Forces. No secret information was ever divulged by the petitioner to the said person.

12. As far as the recovery of mobile phones from the petitioner is concerned, the learned counsel for the petitioner submits that the petitioner had duly explained the reasons for being in possession of four mobile phones. He submits that, therefore, the entire case against the petitioner is based only on suspicion and not on any cogent evidence.

13. On the other hand, the learned counsel for the respondent submits that the allegations against the petitioner are very grave and he has been rightly dismissed from service. He submits that in the facts of the present case, holding a departmental inquiry was neither expedient nor practicable and the same was, therefore, rightly dispensed with.

14. We have considered the submissions made by the learned counsel for the parties.

15. As far as the competence of the respondent no. 3 to pass the Impugned Order dismissing the petitioner from service, Section 11 of the Act and Rule 177 of the Rules, respectively, are reproduced hereinbelow:

Section:

"***11. Dismissal, removal of reduction by the Director-General and by other officers.—***

(1) The Director-General or any Inspector-General may dismiss or remove from the service or reduce to a lower grade or rank or the ranks any person subject to this Act other than an officer.

(2) An officer not below the rank of Deputy Inspector-General or any prescribed officer may dismiss or remove from the service any person under his command other than an officer or a subordinate officer of such rank or ranks is may be prescribed.

(3) Any such officer as is mentioned in sub-section (2) may reduce to a lower grade or rank or the ranks any person under his command except an officer or a subordinate officer.

(4) The exercise of any power under this section shall be subject to the provisions of this Act and rules.

(Emphasis supplied)

Rule:

177. ***Prescribed officer under section 11(2).-*** *The Commandant may, under sub-section (2) of section 11, dismiss or remove from the service any person under his command other than a officer or a subordinate officer.*"

16. Section 11(2) of the Act authorizes the 'prescribed officer' to dismiss or remove from the service any person under his command other than an officer or a subordinate officer of such rank or ranks as may be prescribed. Rule 177 of the Rules states that the Commandant is such a 'prescribed officer' and may, under sub-section (2) of Section 11, dismiss or remove from the service any person under his

command other than an officer or a subordinate officer. Rule 14A of the Rules specifies the Ranks of the officers and other members of the BSF. In terms of Rule 14A of the Rules, a Constable is an 'Enrolled person other than Under Officers'. Therefore, in terms of Section 11(2) of the Act read with Rule 177 and Rule 14A of the Rules, the respondent no. 3 was clearly empowered to pass the order of dismissal against the petitioner.

17. As far as the power to dismiss the petitioner without holding a departmental inquiry is concerned, Rule 22 of the Rules is referred to and the same is reproduced as under:

> "*22. **Dismissal or removal of persons other than officers on account of mis-conduct.** (1) When it is proposed to terminate the service of a person subject to the Act other than an officer, he shall be given an opportunity by the authority competent to dismiss or remove him, to show cause in the manner specified in sub-rule (2) against such action:*
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> *Provided that this sub-rule shall not apply—*
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> *(a) where the service is terminated on the ground of conduct which has led to his conviction by a criminal court or a Security Force Court; or*
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> *(b) where the competent authority is satisfied that, for reasons to be recorded in writing, it is not expedient or reasonably practicable to give the person concerned an opportunity or showing cause.*

(2) When after considering the reports on the mis-conduct of the person concerned, the competent authority is satisfied that the trial of such a person is inexpedient or impracticable, but, is of the opinion that his further retention in the service is undesirable, it shall so inform him together with all reports adverse to him and he shall be called upon to submit, in writing, his explanation and defence:

Provided that the competent authority may withhold from disclosure any such report or portion thereof, if, in his opinion its disclosure is not in the public interest.

(3) The competent authority after considering his explanation and defence if any may dismiss or remove him from service with or without pension:

Provided that a Deputy Inspector General shall not dismiss or remove from service, a Subordinate Officer of and above the rank of a Subedar.

(4) All cases of dismissal or removal under this rule, shall be reported to be Director General."

(Emphasis supplied)

18. Proviso (b) to Sub-rule (1) of Rule 22 clearly provides that where the Competent Authority is satisfied that that it is not expedient or reasonably practicable to give to the person sought to be terminated from service an opportunity to show cause, it shall record reasons for the same in writing, and in which case the requirement to issue show cause in the manner specified in sub-rule (2) of Rule 22, shall stand dispensed with.

19. A reading of the above Rule would show that the Commandant, being the Prescribed Officer, was authorized to dispense with disciplinary inquiry against the petitioner if he was of the opinion that holding a disciplinary inquiry is not expedient or reasonably practicable in the facts of the case.

20. In ***Union of India & Anr. vs. Tulsiram Patel***, (1985) 3 SCC 398, a Constitution Bench of the Supreme Court, while interpreting almost *pari materia* provision in Clause (b) and (c) of the second proviso to Article 311(2) of the Constitution of India, has held as under:

> "***130.*** *The condition precedent for the application of clause (b) is the satisfaction of the disciplinary authority that "it is not reasonably practicable to hold" the inquiry contemplated by clause (2) of Article 311. What is pertinent to note is that the words used are "not reasonably practicable" and not 'impracticable'. According to the Oxford English Dictionary 'practicable' means "Capable of being put into practice, carried out in action, effected, accomplished, or done; feasible". Webster's Third New International Dictionary defines the word 'practicable' inter alia as meaning "possible to practice or perform: capable of being put into practice, done or accomplished: feasible". Further, the words used are not "not practicable" but "not reasonably practicable". Webster's Third New International Dictionary defines the word 'reasonably' as "in a reasonable manner : to a fairly sufficient extent". Thus, whether it was practicable to hold the inquiry or not must be judged in the context of whether it was reasonably practicable to do so. It is not a total or absolute impracticability which is required by clause (b). What is requisite is that*

the holding of the inquiry is not practicable in the opinion of a reasonable man taking a reasonable view of the prevailing situation. It is not possible to enumerate the cases in which it would not be reasonably practicable to hold the inquiry, but some instances by way of illustration may, however, be given. It would not be reasonably practicable to hold an inquiry where the government servant, particularly through or together with his associates, so terrorizes, threatens or intimidates witnesses who are going to give evidence against him with fear of reprisal as to prevent them from doing so or where the government servant by himself or together with or through others threatens, intimidates and terrorizes the officer who is the disciplinary authority or members of his family so that he is afraid to hold the inquiry or direct it to be held. It would also not be reasonably practicable to hold the inquiry where an atmosphere of violence or of general indiscipline and insubordination prevails, and it is immaterial whether the concerned government servant is or is not a party to bringing about such an atmosphere. In this connection, we must bear in mind that numbers coerce and terrify while an individual may not. The reasonable practicability of holding an inquiry is a matter of assessment to be made by the disciplinary authority. Such authority is generally on the spot and knows what is happening. It is because the disciplinary authority is the best judge of this that clause (3) of Article 311 makes the decision of the disciplinary authority on this question final. A disciplinary authority is not expected to dispense with a disciplinary inquiry lightly or arbitrarily or out of ulterior motives or merely in order to avoid the holding of an inquiry or because the Department's case against the government servant is weak and must fail. The finality given to the decision of the disciplinary authority by Article 311(3) is not binding upon the court so far as its power

of judicial review is concerned and in such a case the court will strike down the order dispensing with the inquiry as also the order imposing penalty. The case of Arjun Chaubey v. Union of India [(1984) 2 SCC 578 : 1984 SCC (L&S) 290 : (1984) 3 SCR 302] is an instance in point. In that case, the appellant was working as a senior clerk in the office of the Chief Commercial Superintendent, Northern Railway, Varanasi. The Senior Commercial Officer wrote a letter to the appellant calling upon him to submit his explanation with regard to twelve charges of gross indiscipline mostly relating to the Deputy Chief Commercial Superintendent. The appellant submitted his explanation and on the very next day the Deputy Chief Commercial Superintendent served a second notice on the appellant saying that his explanation was not convincing and that another chance was being given to him to offer his explanation with respect to those charges. The appellant submitted his further explanation but on the very next day the Deputy Chief Commercial Superintendent passed an order dismissing him on the ground that he was not fit to be retained in service. This Court struck down the order holding that seven out of twelve charges related to the conduct of the appellant with the Deputy Chief Commercial Superintendent who was the disciplinary authority and that if an inquiry were to be held, the principal witness for the Department would have been the Deputy Chief Commercial Superintendent himself, resulting in the same person being the main accuser, the chief witness and also the judge of the matter.

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133. *The second condition necessary for the valid application of clause (b) of the second proviso is that the disciplinary authority should record in writing its reason for its satisfaction that it was not reasonably*

practicable to hold the inquiry contemplated by Article 311(2). This is a constitutional obligation and if such reason is not recorded in writing, the order dispensing with the inquiry and the order of penalty following thereupon would both be void and unconstitutional.

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138. *Where a government servant is dismissed, removed or reduced in rank by applying clause (b) or an analogous provision of the service rules and the approaches either the High Court under Article 226 or this Court under Article 32, the court will interfere on grounds well established in law for the exercise of power of judicial review in matters where administrative discretion is exercised. It will consider whether clause (b) or an analogous provision in the service rules was properly applied or not. The finality given by clause (3) of Article 311 to the disciplinary authority's decision that it was not reasonably practicable to hold the inquiry is not binding upon the court. The court will also examine the charge of mala fides, if any, made in the writ petition. In examining the relevancy of the reasons, the court will consider the situation which according to the disciplinary authority made it come to the conclusion that it was not reasonably practicable to hold the inquiry. If the court finds that the reasons are irrelevant, then the recording of its satisfaction by the disciplinary authority would be an abuse of power conferred upon it by clause (b) and would take the case out of the purview of that clause and the impugned order of penalty would stand invalidated. In considering the relevancy of the reasons given by the disciplinary authority the court will not, however, sit in judgment over them like a court of first appeal. In order to decide whether the reasons are germane to clause (b), the court must put itself in the place of the disciplinary*

authority and consider what in the then prevailing situation a reasonable man acting in a reasonable way would have done. The matter will have to be judged in the light of the then prevailing situation and not as if the disciplinary authority was deciding the question whether the inquiry should be dispensed with or not in the cool and detached atmosphere of a court-room, removed in time from the situation in question. Where two views are possible, the court will decline to interfere.

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142. *The question under clause (c), however, is not whether the security of the State has been affected or not, for the expression used in clause (c) is "in the interest of the security of the State". The interest of the security of the State may be affected by actual acts or even the likelihood of such acts taking place. Further, what is required under clause (c) is not the satisfaction of the President or the Governor, as the case may be, that the interest of the security of the State is or will be affected but his satisfaction that in the interest of the security of the State, it is not expedient to hold an inquiry as contemplated by Article 311(2). The satisfaction of the President or Governor must, therefore be with respect to the expediency or inexpediency of holding an inquiry in the interest of the security of the State. The Shorter Oxford English Dictionary, Third Edition, defines the word 'inexpedient' as meaning "not expedient; disadvantageous in the circumstances, unadvisable impolitic". The same dictionary defines 'expedient' as meaning inter alia "advantageous; fit, proper, or suitable to the circumstances of the case". Webster's Third New International Dictionary also defines the term 'expedient' as meaning inter alia "characterized by suitability, practicality, and efficiency in achieving a particular end : fit, proper, or advantageous*

under the circumstances". It must be borne in mind that the satisfaction required by clause (c) is of the Constitutional Head of the whole country or of the State. Under Article 74(1) of the Constitution, the satisfaction of the President would be arrived at with the aid and advice of his Council of Ministers with the Prime Minister as the Head and in the case of a State by reason of the provisions of Article 163(1) by the Governor acting with the aid and advice of his Council of Ministers with the Chief Minister as the Head. Whenever, therefore, the President or the Governor in the constitutional sense is satisfied that it will not be advantageous or fit or proper or suitable or politic in the interest of the security of the State to hold an inquiry, he would be entitled to dispense with it under clause (c). The satisfaction so reached by the President or the Governor must necessarily be a subjective satisfaction. Expediency involves matters of policy. Satisfaction may be arrived at as a result of secret information received by the Government about the brewing danger to the security of the State and like matters. There may be other factors which may be required to be considered, weighed and balanced in order to reach the requisite satisfaction whether holding an inquiry would be expedient or not. If the requisite satisfaction has been reached as a result of secret information received by the Government, making known such information may very often result in disclosure of the source of such information. Once known, the particular source from which the information was received would no more be available to the Government. The reasons for the satisfaction reached by the President or Governor under clause (c) cannot, therefore, be required to be recorded in the order of dismissal, removal or reduction in rank nor can they be made public.

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> ***144.*** *It was further submitted that what is required by clause (c) is that the holding of the inquiry should not be expedient in the interest of the security of the State and not the actual conduct of a government servant which would be the subject-matter of the inquiry. This submission is correct so far as it goes but what it overlooks is that in an inquiry into acts affecting the interest of the security of the State, several matters not fit or proper to be made public, including the source of information involving a government servant in such acts, would be disclosed and thus in cases such as these an inquiry into acts prejudicial to the interest of the security of the State would prejudice the interest of the security of the State as much as those acts would."*
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> *(Emphasis supplied)*

21. In ***Hari Niwas Gupta*** (supra), the Supreme Court held that it is the obligation of the Competent Authority to record reasons when passing an order under Clause (b) to the second proviso to Article 311(2).

22. In ***Yacub Kispotta*** (supra), this Court held that the decision whether the circumstances are such as to conclude that holding an inquiry is not reasonably practicable, is within the domain of executive decision making of the Disciplinary Authority, though the same has to be based on objective facts. The role of the Court, in judicial review, is confined to considering whether the reasons were germane and relevant.

23. In the facts of the present case, the respondent no. 3 in the order dated 30.11.2020, has recorded his satisfaction that the trial of the

petitioner is impracticable and inexpedient, giving the following reasons:

> "*8. Whereas, I am also satisfied that it is not expedient to give No. 021003774 Constable (GD) Kishore Chandra Sahoo an opportunity of showing cause because SCN and his reply is likely to disclose many minute operational and deployment related secret information, examination/scrutiny of which by non-authorized persons will jeopardize the security of International border and whereas for the same reasons his trial by a Security Force Court is also inexpedient.*"

24. In the present case, the allegation against the petitioner is of him having regularly contacted a PIO. Clearly, if a show cause notice is to be issued to him and a reply thereto is to be sought, the same is likely to jeopardise the national security as certain vital operational and deployment details may come into focus in such inquiry. The source and material for forming an opinion of the person contacted being a PIO would also need to be disclosed. The opinion/satisfaction of respondent no.3, therefore, cannot be said to be unreasonable or perverse warranting any interference by this Court in exercise of its powers of judicial review. As held by the Supreme Court in *Tulsiram Patel* (supra), this court is not to act as an appellate authority to judge such satisfaction of the Prescribed Officer.

25. The IG Raj. Frontier, as an appellate authority, in its Impugned Order dated 04.06.2021, has further observed that a reasonable opportunity to defend himself was granted to the petitioner at the stage

of SCOI, however, the petitioner had declined to avail of such opportunity.

26. We, therefore, find no infirmity in the procedure adopted by the respondents in dispensing with the disciplinary inquiry before passing the Impugned Order dated 30.11.2020.

27. The reliance of the petitioner on the judgment of the Supreme Court in ***Tarsem Singh*** (supra) is of no avail to the petitioner inasmuch as the Supreme Court in the said case had observed that no material was placed or disclosed in the order to show how the subjective satisfaction was arrived at by the statutory authority for dispensing with the disciplinary inquiry. In the present case, however, as noted hereinabove, the Impugned Order itself gives cogent reason for dispensing with the disciplinary inquiry. From the allegations made against the petitioner, such an opinion is found to be based on relevant material.

28. The reliance of the petitioner on the judgment of this Court in ***Sudesh Kumar*** (supra) is also not relevant inasmuch as in the said case also no reason was given for dispensing with the disciplinary inquiry while ordering the dismissal of the petitioner therein.

29. The submission of the learned counsel for the petitioner that in the present case there was no cogent evidence against the petitioner and that the order of dismissal is based only on suspicion, cannot also be accepted. The petitioner has not denied being in contact with the person who the respondents allege is a suspected PIO. He further does

not deny the use of mobile phone(s) while being on duty and being in possession of four mobile phones and five SIM cards. In fact, his representation against the order of dismissal admits to the above facts. His reasons for being in possession of four mobile phones and five SIM cards is as under:

> "*The four mobile phones found from the possession belong to the petitioner and his family members. One instrument petitioner used for normal call while the other he use for whatsapp, messenger or for other use of social media. He talks to his family member through whatsapp video calls from his mobile phone as they stay away at Odisha. The other two instruments belong to his son and wife. Since he belongs to Rural Village of Odisha and one instrument he brought to repair, other new he has purchased for his son. Therefore, those mobiles were found from his possession.*"

30. The above explanation is completely fanciful and has been rightly rejected by the Competent Authority.

31. We also find no merit in the submission of the learned counsel for the petitioner that his appeal/representation was not properly considered by the IG Raj. Frontier while dismissing the same vide Impugned Order dated 04.06.2021. The IG Raj. Frontier was not expected to write his order as a judgment of a court. Reasons for the impugned order are clearly reflected in the order itself.

32. In view of the above, we find no merit in the present petition and the same is dismissed. There shall no order as to cost.

NAVIN CHAWLA, J

MANMOHAN, J

OCTOBER 29, 2021/*rv*/U/P.