



IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA

&

HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI

WRIT APPEAL No. 123 of 2022

*THE STATE OF MADHYA PRADESH & ANOTHER*

*Versus*

*JAYESH GURNANI AND OTHERS*

**Appearance:**

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*Shri Sudeep Bhargava, learned Deputy Advocate General for the appellants / State.*

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*Shri Vibhor Khandelwal, learned counsel for the respondents / writ petitioners.*

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**Reserved on : 03<sup>rd</sup> July, 2025**

**Delivered on : 21<sup>st</sup> July, 2025**

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**O R D E R**

***Per : Justice Vivek Rusia***

The appellant / M.P. State Election Commission & Others have filed the present writ appeal under Section 2(1) of the Madhya Pradesh Uchcha Nyayalaya (Khand Nyaya Peeth Ko Appeal) Adhiniyam, 2005 being aggrieved by the order dated 10.01.2022 passed by the Writ Court, whereby Writ Petition No.12517 of 2021 has been allowed and the Gazette Notification dated 06.11.2020 has been quashed.

**FACTS OF THE CASE**

02. That, in the run up to the municipal elections in Indore, the process for reservation of wards for Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Classes (OBC) and Women



was undertaken by the District Collector, Indore / appellant No. 3 in accordance with the Madhya Pradesh Municipalities (Reservation of Wards for Scheduled Castes, Scheduled Tribes, Other Backward Classes and Women) Rules, 1994 (hereinafter referred as 'Reservation Rules, 1994'). The reservation proceedings were conducted on 31.07.2020, and subsequently, a Gazette Notification dated 06.11.2020 was issued by the Department of Urban Administration and Development / Appellant No. 2 finalizing the reservation of 85 wards in the Indore Municipal Area.

03. The case of the petitioner is that the principle of rotation of reservation was not followed while reserving wards and on examination, it came to be known that thirteen wards, which were previously reserved for Scheduled Castes and three wards which were earlier reserved for Scheduled Tribes have again been reserved for the same categories without any change or rotation, meaning thereby violating the rotational reservation principle enshrined in Rule 4 of the Reservation Rules, 1994 and which was also goes against the mandate as provided in Article 243T of the Constitution of India.

04. The grievance of the writ petitioner is that the legal framework governing the reservation of municipal wards is given in Rule 3 of the Reservation Rules, 1994, according to which for first time reservation of wards based on concentration of population of respective categories while Rule 4 of the Reservation Rules, 1994 mandated that rotation of such reserved wards should be done in subsequent elections to ensure fair and equal opportunity of representation. Article 243T of the Constitution and Section 11 of the



Madhya Pradesh Municipal Corporation Act, 1956 (hereinafter referred to as 'the Act of 1956') also emphasizes proportional representation with rotation as an essential component of the reservation scheme. However, this law and principles, which mandatorily required the rotation of wards were not followed by the appellants when reserving the wards in the said notification.

05. The writ petitioner, who are residents of Indore are eligible to vote and also having eligibility criteria to contest the municipal election on noticing this discrepancy submitted a representation on 26.03.2021 to the authorities requesting cancellation of the notification and initiation of a fresh reservation process in compliance with the law, but the State Election Commission / appellant No.1 only forwarded the representation to the State Government on 07.04.2021 with directions to take appropriate action. However, no steps were taken by the concerned authorities thereafter.

06. Left with no alternative remedy and alleging illegality, arbitrariness and violation of the constitutional requirement of rotation in the reservation of municipal wards, the respondents / original writ petitioner approached the Writ Court by filing writ petition under Article 226 of the Constitution of India challenging the validity of process of reservation of municipal wards done by the respondents particularly on the ground of failure to apply the principle of rotation as provided under Rules 3 & 4 of the Reservation Rules, 1994 read with Section 11 of the Act of 1956 and as mandated in Article 243T of the Constitution.

07. The writ petitioner raised the issue that the impugned notification resulted in perpetuity of reservations in the same wards



and defeated the objective of fair and proportionate representation and defeated the mandate provided in Article 243T. Reliance has been placed upon a judgment delivered by the Apex Court in the case of ***K. Krishna Murthy (Dr.) v/s Union of India reported in (2010) 7 SCC 202***, which recognized rotation as a safeguard against permanent reservation of particular offices and seats.

08. In response, the appellant contended before the Writ Court that the reservation process was undertaken in conformity with Article 243T of the Constitution, Section 11 of the Act of 1956 Act and the Reservation Rules, 1994 and phrase "may be allotted by rotation" used in Article 243T reflected that it is an enabling and discretionary provision rather than a mandatory one. It was contended that the reservation had been done in descending order based on population concentration, which fulfilled the requirement of proportional representation. Reliance was placed upon a judgment delivered by the Division Bench of this Court in the case of ***Tulsiram Jatav v/s Union of India reported in 2001(4) M.P.L.J. 132***.

#### **FINDINGS & CONCLUSION OF THE WRIT COURT**

09. The learned Writ Court, after examining the provisions of Article 243T, Section 11 of the Act of 1956 and Rules 3 & 4 of the Reservation Rules, 1994 held that the Gazette Notification dated 06.11.2020 issued by the State in finalizing reservation of municipal wards in Indore did not conform to the mandatory scheme of rotation and that the rotation of reserved seats is not merely discretionary, but is an integral part of the statutory scheme to prevent reservation in perpetuity.

10. The Writ Court observed that though Section 11(2) of the Act



of 1956 was regarding reservation for OBC, but on reading it harmoniously with Article 243T, it reflects that rotation of reservations is to be applied to all categories. The Writ Court concluded that while Article 243-T uses the word "may" in the context of rotation but the State having exercised its legislative discretion through Section 11(2) of the Act of 1996 and Rules 3 & 4 of the Reservation Rules, 1994 had statutorily provided for rotation in subsequent elections and thus, rotation was no longer directory but became mandatory and will have to be followed while reserving wards in Municipal areas in Indore Municipal Corporation.

11. The Writ Court observed that Rule 4 of the Reservation Rules, 1994, provided that wards reserved in a previous election shall not be included again in the same category until they come up again in the prescribed serial order.

12. The Writ Court also distinguished the judgment delivered in the case of *Tulsiram Jatav (supra)* holding that it stood impliedly overruled by the later binding decision of the Supreme Court in the case of *K. Krishna Murthy (supra)* and reiterated that under Article 141 of the Constitution, the law laid down by the Supreme Court must prevail.

13. The Writ Court, hence, quashed the impugned notification and granted liberty to the State to undertake a fresh reservation exercise in accordance with Article 243T of the Constitution and the Reservation Rules, 1994. Hence, the present writ appeal is before this Court.

#### **SUBMISSIONS OF APPELLANTS**

14. Learned Deputy Advocate General appearing for the



appellants / State argued that the order passed by the Writ Court suffers from legal as well as serious errors in constitutional interpretation and misreading of the constitutional provisions governing municipal reservations. Learned Deputy Advocate General submitted that the reservation of seats in municipal wards for SC & ST was carried out strictly in accordance with Article 243T of the Constitution and the Reservation Rules, 1994.

15. Learned Deputy Advocate General further submitted that Article 243T (1) uses the expression "such seats may be allotted by rotation to different constituencies" which indicates that rotation is not mandatory but discretionary. The phrase "may be" confers a legislative choice, therefore, the decision of State not to rotate seats previously reserved for SC/ST categories does not render the reservation invalid or unconstitutional and further submitted that there is no mandate in the Constitution or the applicable statutory provisions that requires reserved seats to be rotated in every election cycle and the interpretation of "may" as "shall" by the Writ Court is erroneous and contrary to settled principles of constitutional interpretation.

16. Learned Deputy Advocate General submitted that Writ Court failed to appreciate that the reservation was done on the basis of concentrated population of SC/ST communities in respective wards and if rotation were enforced mechanically, it would lead to the anomaly of reserving seats in wards with negligible SC/ST population thereby defeating the very purpose of proportional representation as permitted under the Constitution and the statutory scheme. Learned Deputy Advocate General submitted that Rule 4 of



the Reservation Rules, 1994, read with the parent legislation, does not prescribe compulsory rotation for SC/ST seats and the rule of rotation is expressly applied only to OBC and women categories under certain circumstances.

17. Learned Deputy Advocate General further submitted that the impugned Gazette Notification dated 06.11.2020 was issued after due application of mind and the same is in accordance with the constitutional and statutory framework. Thus, it has been prayed that the writ appeal be allowed and the order passed by the Writ Court be set aside.

#### **SUBMISSIONS OF RESPONDENT / WRIT PETITIONER**

18. Shri Vibhor Khandelwal, learned counsel appearing for the respondents / writ petitioners, submitted that the Writ Court had rightly quashed the said notification, holding that the process of reservation undertaken by the authorities for the Indore Municipal Corporation violated the constitutional mandate of fair and equitable representation by failing to implement rotation of reserved seats. It is further submitted that the continued reservation of the same wards for SC & ST without following the principle of rotation amounts to arbitrariness and denies democratic participation to other similarly placed constituencies. Learned Counsel submitted that the language of Article 243T, though using the word "may", must be construed harmoniously to ensure that the benefit of political reservation is not confined to a few select constituencies repeatedly, but is equitably distributed.

19. Learned Counsel further submitted that Section 11 of the Act of 1996 and the Reservation Rules, 1994 though not explicitly



mandating rotation for SC/ST seats, but must be read conjointly with the object and purpose of Article 243-T of the Constitution of India. The failure to implement rotation for multiple terms results in the perpetuation of reservations in certain wards, which undermines the representative character of local self-government. Learned Counsel submitted that the Writ Court had rightly relied on the judgment of the Apex Court in the case of *K. Krishna Murthy (supra)*. Lastly, it is submitted that the contention of Deputy Advocate General that this judgment applies only to election of mayor and president is totally misconstrued, hence, there is no error in the reasoning or conclusion of the Writ Court's order and it is prayed that the appeal be dismissed.

### **APPRECIATION & CONCLUSION**

20. The petitioners are mainly concerned that there should be a reservation of seats in the municipality's election for SC/ST candidates by way of rotation in view of Article 243T of the Constitution of India, which is reproduced below:-

**"243T. Reservation of seats.** –(1) Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in every Municipality and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Municipality as the population of the Scheduled Castes in the Municipal area or of the Scheduled Tribes in the Municipal area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Municipality.

(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality shall be reserved for women, and such seats may be allotted by rotation to different constituencies in a Municipality.



(4) The offices of Chairpersons in the Municipalities shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide.

(5) The reservation of seats under clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in article 334.

(6) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Municipality or offices of Chairpersons in the Municipalities in favour of the backwards class of citizens."

21. The aforesaid Article mandates that seats shall be reserved for the Scheduled Castes & the Scheduled Tribes in every Municipality in the same proportion to the total number of seats to be filled by direct election in that Municipality as per the population of Scheduled Castes & Scheduled Tribes in the Municipal area. There is a further provision of one-third reservation of seats for women belonging to the Scheduled Castes/the Scheduled Tribes. The office of Chairpersons in the Municipality shall be reserved for Scheduled Castes, Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide. This Article permits the legislature of a State from making any provision for the reservation of seats in any Municipality or offices of Chairpersons in the Municipalities in favour of the backwards class of citizens.

22. There is a provision for reservation of seat in the Municipality by way of Section 11 of the Municipal Corporation Act of 1956 which reads as under:-

**"11. Reservation of seats.-**(1) Out of the total number of wards determined under sub-section (1) of section 10 such number of seats shall be reserved for Scheduled Tribes in every Municipal Corporation as bears, as nearly as may be the same proportion to the total number of seats to be filled



by direct election in the Municipal Corporation as the population of the Scheduled Castes or of the Scheduled Tribes in the Municipal area bears to the total population of that area and such wards shall be those in which the percentage of population of the Scheduled Castes or the Scheduled Tribes, as the case may be, is most concentrated.

(2) As nearly as possible twenty five percent of the total number of wards shall be reserved for other backward classes in such Municipal Corporation, where fifty percent or less seats are reserved for Scheduled Castes and Scheduled Tribes, and such seats shall be allotted by rotation to different wards in such manner as may be prescribed.

Provided that if from any ward so reserved nomination paper is filed for election, as a Councillor, by any member of the backward classes, then the Collector shall be competent to declare it as unreserved.

(3) Not less than one-third of the total number of seats reserved under sub-section (1) and (2), shall be reserved for women belonging to the Scheduled Castes or the Scheduled Tribes or other backward classes, as the case may be.

(4) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes, Scheduled Tribes and other backward classes), of the total number of seats to be filled by direct election in every Municipal Corporation shall be reserved for women and such seats, shall be allotted by rotation to different wards in a Municipal Corporation in such manner as may be prescribed.

(5) The reservation of seats under sub-sections (1), (2) and (3) shall cease to have effect on the expiration of the period specified in Article 334 of the Constitution of India.

**Explanation:** In this section ‘other backward classes’ means category of persons belonging to backward classes as notified by the State Government."

23. As per Section 11(1) of the Act of 1956, out of total number of wards, such number of seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in every Municipal Corporation, as nearly as may be, the same proportion to the total number of seats to be filled by the direct election in the said Corporation as per the concentration of the population of the Scheduled Castes or the Scheduled Tribes in particular ward. Whereas sub-section (2) of



Section 11 provides for twenty-five per cent reservation by way of rotation to the backward class in such Municipal Corporations, where fifty per cent or less seats are reserved for the Scheduled Castes and the Scheduled Tribes, in such a manner as may be prescribed. Sub-section (3) of Section 11 also provides reservation for women belonging to the SC & ST or other backward classes, as nearly as possible, fifty per cent of the total number of seats.

24. The Government of Madhya Pradesh framed the Madhya Pradesh Municipalities (Reservation of Wards for Scheduled Castes, Scheduled Tribes, Other Backward Classes & Women) Rules, 1994 in the Municipalities, which means the Municipal Corporation, Municipality as well as Nagar Panchayat. This Rule provides a manner of reservation for the first time as well as at the time of subsequent elections. Rule 3 of the Rules of 1994 provides for the reservation of wards for the first time. The language of Rule 3(1) is identical to Section 11(1) & 11(2) of the Act of 1956, according to which the first-time reservation shall remain in force for the whole period of five years in the Municipality, including casual vacancies. Rule 4 of the Reservation Rules, 1994 deals with **the Reservation of wards at the time of subsequent elections**, according to which, for the purpose of subsequent elections, the same procedure of reservation shall be adopted, which is described in Rule 3. It further says that the reservation is to be made by lot for the purpose of rotation, meaning thereby, the wards which are earlier reserved for a category, shall not be included in the lot for the reservation of that category, until such ward does not come again in the serial of reservation. As per Rule 3, in Municipal Corporation as well as in



Municipality, the reservation of wards shall be those in descending order, in which the population of the Scheduled Castes or the Scheduled Tribes, as the case may be, is most concentrated. Sub-rule (3) of Rule 3 says that twenty five per cent of the total number of wards shall be reserved for other backward classes in Municipalities, where fifty percent or less in number wards are reserved for SC & ST and such reservation to OBC shall be by lot from the remaining ward excluding the wards reserved for SC & ST. For example, if a total of fifty per cent of wards are reserved for SC & ST, then there shall be twenty-five per cent reservation for OBC in the remaining 50% seats. After following the procedure under Rule 3(1), if only 20 posts are reserved in total for SC & ST candidates, then the reservation of 25% seats for OBC shall be made from the remaining 80% seats. The reservation of women is provided under sub-rule (3) of Rule 3, which is not the subject matter of this writ appeal.

25. As per Section 11(2) of the Act of 1956, the reservation of OBC shall be twenty-five per cent, where fifty per cent or less seats are reserved for SC & ST candidates. It further says that **such seats** shall be allotted by rotation to different wards in such manner as may be prescribed. Words **such seats** mean the seats reserved for OBC, not for SC & ST. Only twenty five per cent of the seats reserved for OBC shall be allotted by way of rotation.

26. This Court in the case of *Sunil v/s The State of Madhya Pradesh & Another reported in 2005 (1) M.P.L.J. 180* has held that the principle of rotation is not applicable in respect of the seats reserved for SC & ST. Relevant paragraph of the same is reproduced below:-



"7. From the perusal of Section 11(2) and (4) of the Act, it is apparent that the seats reserved for other backwards classes and women shall be reserved by rotation, but in respect of seats reserved for Scheduled Castes and Scheduled Tribes, there is no provision for reservation by rotation. The emphasis in Sub-section (1) is that wards which are most concentrated with the population of Scheduled Castes and Scheduled Tribes shall be reserved for that purpose. Rule 3 of the Rules provides that out of the total number of wards determined under Sub-section (1) of Section 10 of the Act, such number of wards shall be reserved for Scheduled Castes and Scheduled Tribes in every Municipal Corporation of which in the total number of wards determined for that Municipal Corporation as nearly as may be, the same which is to be total population of the Scheduled Castes or of the Scheduled Tribes in that Municipal Corporation bears to the total population of that Municipal Corporation and such wards shall be those in a descending order in which the population of the Scheduled Castes or the Scheduled Tribes, as the case may be, is most concentrated. Aforesaid Rule 3 of the Rules provides that the population of a particular ward shall be determined on the basis of persons belonging to Scheduled Castes residing in that ward and the criteria for reservation will be population which is concentrated in the ward, and the reservation will be as per population but in descending order. Meaning thereby, in a particular ward, the population of Scheduled Castes shall be determined on the basis of the persons residing in that particular ward and for the reservation, the first number of the ward in the seniority shall be taken into consideration in which the population of the Scheduled Castes is higher in percentage. Under Rule 4 of the Rules there is provision for subsequent reservation but the principle of rotation is applicable only in the case where such rotation is provided but in the case of Scheduled Castes and Scheduled Tribes persons, principle of rotation is not made applicable. The respondents on the basis of population in wards have found the aforesaid six wards to be most concentrated with the persons belonging to Scheduled Castes in descending order and have reserved the aforesaid six wards as per the percentage of population of Scheduled Caste persons.

[Emphasis Supplied]

27. In the case of *Mohammad Azad v/s The State of Madhya Pradesh & Others reported in 2021 (2) M.P.L.J. 479*, the Division



Bench of this Court has held that sub-rule (3) of Rule 3 of the Reservation Rules, 1994 is also identically worded which provides that as nearly as possible, 25% of the total number of wards shall be reserved for Other Backward Classes in such Municipalities, where out of the total number of wards, 50% or less in number wards are reserved for Scheduled Castes and Scheduled Tribes, and such wards shall be reserved by lot from the remaining wards excluding the wards, reserved for Scheduled Castes and Scheduled Tribes. Relevant paragraphs of the said judgment are reproduced below:-

"7. There is no problem so far as the action of the respondents to the extent of providing the reservation to Scheduled Castes and Scheduled Tribes is concerned. However, the difficulty arises at the stage of applying sub-section (2) of Section 29-A of the Act of 1961, which inter alia provides that as nearly as possible twenty-five percent of the total number of Wards shall be reserved for Other Backward Classes in such Municipalities where fifty percent or less seats are reserved for Scheduled Castes and Scheduled Tribes, and such seats shall be allotted by rotation to different Wards in such manner as may be prescribed, provided that if from any ward so reserved, no nomination paper is filed for election, as a Councillor by any member of the Other Backward Classes, then the Collector shall be competent to declare it WP-1302-2021 as unreserved. Sub-Rule (2) of Rule 3 of the Rules of 1994 is also identically worded, which provides that as nearly as possible, 25% of the total number of wards shall be reserved for Other Backward Classes in such Municipalities, where out of the total number of wards, 50% or less in number wards are reserved for Scheduled Castes and Scheduled Tribes, and such wards shall be reserved by lot from the remaining wards excluding the wards, reserved for Scheduled Castes and Scheduled Tribes (underlining ours).

8. At this stage, it is also to be noted that Sub-section (3) of Section 29-A of the Act, 1961 provides that as nearly as possible 50% of the total number of seats reserved under sub-sections (1) and (2), shall be reserved for women belonging to the Scheduled Castes or the Scheduled Tribes or Other Backward Classes, as the case may be. Sub-section



(4) provides that as nearly as possible 50% (including the number of seats reserved for women belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes), of the total number of seats to be filled by direct election in every Municipality shall be reserved for women and such seats shall be allotted by rotation to different wards in a Municipality in such manner as may be prescribed. Sub-section (5) of Section 29-A of the Act of 1961 stipulates that the reservation of seats under sub-sections (1), (2) and (3) shall cease to have effect on the expiration of the period specified in Article 334 of the Constitution of India.

15. In view of our preceding analysis of the law, the writ petition deserves to succeed. The notification dated 28.11.2020 (Annexure P-1) to the extent of providing reservation of 07 seats to Other Backward Classes (OBC) is set-aside with a direction to the respondents to provide reservation only for 06 (six) seats to the OBC to implement the direction of the Government dated 29.08.2019 and undertake a fresh exercise to provide such reservation by rotation in terms of Rule 3(3) of the Rules of 1994. Entire exercise shall be undertaken and completed at the earliest but not later than 15 days."

[Emphasis Supplied]

28. Shri Vibhor Khandelwal, learned counsel for the respondents / writ petitioners argued that Article 243T of the Constitution of India says that in the Municipal area such seats may be allotted by way of rotation to different constituencies, therefore, contention of the State Government that the rotation cannot be applied for reservation of SC / ST & OBC in Municipal area is unfounded and is liable to be rejected.

29. It is correct that Article 243T says that the seats shall be reserved for the SC & ST in every municipality as per the population, and such seats **may be** allotted by rotation to different constituencies in Municipalities. The reservation to the Scheduled Castes & the Scheduled Tribes is mandatory, but such allotment by rotation is optional. As per Section 11 of the Act of 1956, there shall be the



reservation of wards for the Scheduled Castes & the Scheduled Tribes, where their populations are concentrated, subject to a maximum limit of 50%. In subsequent elections, the same reservation shall be subject to the concentration to population of the Scheduled Castes & the Scheduled Tribes, there could be possibility of change in the concentration, hence, there could be no reservation to the Scheduled Castes / Scheduled Tribes. Therefore, reservation by way of rotation cannot be made compulsory because it is always subject to the concentration of the population. Rule 4 of the Reservation Rules, 1994 talks about reservation of wards at the time of subsequent elections because in every election, the concentration of populations of the Scheduled Castes & the Scheduled Tribes is liable to be examined, according to which reservation will be made to the particular seats, and this cannot be done by way of rotation. Since the criteria to reserve seats for the Scheduled Castes & the Scheduled Tribes are their share in the population of particular wards, hence, there cannot be rotation.

30. Rule 3 of the Reservation Rules, 1994 says that such wards shall be those in descending order in which the population of the Scheduled Castes or the Scheduled Tribes, as the case may be, is most concentrated. There is a limit of twenty five per cent reservation for the Other Backward Classes candidates, excluding the reservation of the Scheduled Castes & the Scheduled Tribes candidates. The wards shall be reserved for OBC candidates by lot from the remaining wards, excluding the wards reserved for the Scheduled Castes & the Scheduled Tribes candidates as per sub-rule (2) of Rule 3. As per conjoint reading of Section 11(2) of the Act of 1956 and



Rule 3(2) of the Reservation Rules, 1994, reservation by way of rotation is provided only to the Other Backwards Classes seats and not for the Scheduled Castes & the Scheduled Tribes seats / wards.

31. In view of the above, the impugned order dated 10.01.2022 passed by the Writ Court in Writ Petition No.12517 of 2021 deserves to be and is hereby set aside, and the writ petition stands dismissed.

32. Writ Appeal stands allowed. There shall be no order as to cost.

(VIVEK RUSIA)  
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(BINOD KUMAR DWIVEDI)  
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Ravi