Before : B. C. Varma, C.J. & Ashok Bhan, J.

HARDWARI LAL, EX-M.P. (LOK SABHA),—*Petitioner.*

versus

CH. BHAJAN LAL, CHIEF MINISTER, HARYANA, CHANDIGARH AND OTHERS,—*Respondents.*

Civil Writ Petition No. 16144 *of* 1991.

11th February, 1992.

Constitution of India, 1950—Arts. 226, 155, 156, 163, 164, 190 *to* 193—*Office of Chief Minister—Modes of disqualification—Doctrine of pleasure—Chief Minister holding office at the pleasure of Governor—Ground as to breach of oath by Chief Minister—Invocation of writ jurisdiction of High Court by way of public interest litigation—Challenge to issuance of writ of quo-warranto—Court has no jurisdiction under Art.* 226 *to issue any direction for removal of Chief Minister by adding grounds of disqualification provided under Art.* 191—*Breach of oath as Minister is not such disqualification either under Constitution or even under any other law made by Parliament—Only Governor being appointing authority under Constitution, it is he who can consider whether there was infact any breach of oath—Matters which are entirely within the realm of pleasure and unfettered discretion of appointing authority are not amenable to jurisdiction of High Court under Art.* 226.

Held, that High Court is not competent to issue a writ of *quo warranto* or any other kind of writ or direction removing the Chief Minister for his having committed the breach of oath. It is now well settled that when a post or office is held at pleasure no writ of *quo warranto* can issue. Once a person enters upon an office lawfully and is legally entitled to hold it and the continuance depends upon the pleasure doctrine, it will not be permissible to issue a writ by way of information in the nature of *quo warranto* or a writ of *quo warranto*. The reason is that such a writ can immediately and easily be defeated by the executive will as it shall be open to it to allow such a person to assume that office again.

(Para 15)

Held further, that the appointing authority being the Governor, it is he who can consider whether there was in fact any breach of oath. Termination of the tenure of a Minister is not the function of a Court.

(Para 14)

Held further, that it is significant that the constitution makes no express provision as to the consequences of a breach of oath by a Minister. In that event, as we have noted above, the only course to be adopted is as indicated under Article 192 of the Constitution. Consequently, we are of the opinion that the alleged violation/breach

of oath by the respondent Chief Minister who was admittedly qualified to occupy that office on taking the prescribed oath has not rendered him disqualified to continue to hold that office of the Chief Minister.

(Paras 12 & 13)

Held further, that Articles 191 and 192 of the Constitution exhaustively deal with and furnish a composite machinery regarding the disqualification of a Member of the Legislative Assembly. Violation of oath may be betrayal of faith reposed in the person taking oath which unfailingly indicates and demonstrates a fundamental Code of Conduct. Nevertheless to hold violation of oath as a disqualification would mean adding another clause in Article 191 of the Constitution which obviously is neither desirable nor permissible. That certainly is not our function. (Paras 8 & 9)

Petition under Article 226 *of the Constitution of India praying that:—*

(*i*) *Ch. Bhajan Lal, Chief Minister, Haryana (Respondent No.* 1) *may kindly be declared an usurper of office of the Chief Minister, Haryana and a writ of* qua warranto *may be issued for his removal; or*

(*ii*) *such relief as the Hon'ble Court may deem fit in the interest may kindly be granted.*

Mr. H. S. Hooda, Sr. Advocate with Mr. Ramesh Hooda, Advocate, *for the petitioner.*

Mr. J. K. Sibbal, Sr. Advocate with Mr. Sanjiv Sharma, Advocate, *for Respondent No.* 1.

Mr. H. L. Sibal, A.G. Haryana with Miss Rupinder Dulat, Advocate, *for the respondents.*

JUDGMENT

B. C. Varma, C.J.

(1) The question in this writ petition is whether this Court in the exercise of its jurisdiction under Article 226 of the Constitution can issue a writ of *quo warranto* against a Chief Minister of his allegedly committing breach of the oath administered to him at the time of assuming office of the Chief Minister ?

(2) After being duly elected as a member of the Haryana Legislative Assembly, Ch. Bhajan Lal, respondent No. 1, was lawfully appointed as the Chief Minister of the State of Haryana by the

Governor of the State in exercise of the powers under Article 164(1) of the Constitution. Other Ministers were likewise appointed on the advice of the Chief Minister. The petitioner, Hardwari Lal, an Ex-Member of Parliament, has instituted an action through this writ petition against Ch. Bhajan Lal describing it as a public interest petition seeking in desperation to "exercise the realm of accountability" of a rapacious executive "to the people through the judiciary", with a prayer for the issuance of a writ of *quo warranto*, directing removal of respondent No. 1 from the office of the Chief Minister. Numerous allegations have been levelled quoting the alleged misdeeds of respondent No. 1 which, according to the petitioner, unfailingly demonstrate that the Chief Minister has violated the oath of his office which he took at the time of assuming that office. We need not go into the truth or otherwise of those allegations because after notice, respondent No. 1, reserving his right to meet the allegations and charges has chosen only to file a skeleton affidavit questioning the petitioner's right to approach this Court for the relief claimed and also the jurisdiction of this Court to issue a writ of *quo warranto* for the alleged breach of oath administered to him. Without, embarking, therefore, upon an enquiry as to the correctness of such allegations which for the purpose of present controversy may be assumed, we proceed to decide the legal question raised as a preliminary objection to the maintainability of this writ petition.

(3) The question, whether the petitioner has the *locus standi* to approach this Court for the relief claimed need not detain us much although Shri Sibal, the learned Advocate-General, Haryana, appearing for the respondents, severely criticised the motive and purport behind this writ petition as political and only aimed at wreaking personal grievances by a political rival of the Chief Minister, yet we do not find that the *locus standi* of the petitioner to approach the Court was seriously questioned. The substance of the respondent's contention in this regard is that the Court shall not exercise any discretion in favour of a person who has approached this Court only with oblique motives, has his own axe to grind against the respondent and, therefore, could not be permitted to have access to the Court under the garb of public interest litigation. We think that the antecedents or status of a persons lose all significance if the information conveyed to the Court even by such a person is such as may justly require the Court to exercise its jurisdiction to pass orders and directions to protect the rights and liberties of the citizens. A Full Bench of the Andhra Pradesh High Court in *D. Satyanarayana* v. *N. T. Rama Rao* (1), observed that being politician by itself is no sin. In our democratic set up, Governments

(1) A.I.R. 1988 Andhra Pradesh 144.

are run by political parties voted to power by people. It is totally unrealistic to characterise any espousal of cause in a Court of law by a politician on behalf of the general public complaining of Constitutional and statutory violations by the political executive as a politically motivated adventure. If, however, the interests are not personal and the litigation appears to be for no-personal gains, the person approaching the Court is not a busy body nor an interloper, the relief may not be denied and the petition may not be thrown out simply because it is by a politician. We, however, leave the matter at that without commenting any further upon the petitioner's interest in approaching this Court and bringing to the Court's notice the acts of the Chief Minister which according to him do not deserve the continuance of respondent No. 1 in the office of the Chief Minister any further. We, however, express that spiteful allegations of personal nature and being politically mischievous may not be permitted to be made in the garb of public interest litigation and the Court must caution itself that it should protect its jurisdiction, authority and time from abuse of the process.

(4) Counsel for the parties very ably and eleborately addressed the Court on the question of this Court's authority and jurisdiction to issue a writ of *quo warranto* directing removal of a Chief Minister for breach of the oath administered to him at the time of assuming the office. The Advocate-General appearing for the respondents contended that the Chief Minister holds office during the pleasure of the Governor who appoints him, that the breach or violation of oath by him does not tantamount to any disqualification muchless any permanent disqualification requiring him to quit his office and that the Courts are not equipped to decide such matters being political. The qualifications of a Chief Minister are to be judged only by the appointing authority, namely, the Governor. Shri Hooda, the learned counsel for the petitioner on the other hand, pointed out that by committing violation of oath, the Chief Minister commits breach of Constitutional provision and, therefore, this Court in the exercise of jurisdiction under Article 226 of the Constitution is well entitled to direct his removal from that office. The learned counsel added that such violation of oath tantamounts to a disqualification and once such a disqualification is incurred, the person holding the office, that is, the Chief Minister is to quit and the Court can well direct him to do so.

(5) Part VI Chapter II of the Constitution relates to "The Executive". All the executive power of the State vests in the Governor who is appointed by the President by warrant and holds office during the pleasure of the President (Articles 155 and 156).

Before entering such office of the Governor, he has to make and subscribe to an oath or affirmation as provided under Article 159. A Council of Ministers with the Chief Minister at the head is to aid and advice the Governor in the exercise of his functions except "insofar as he is by or under the Constitution required to exercise his functions or any of them in his discretion." (Article 163 of the Constitution). According to clause (3) of Article 163 the question, whether any and if so what, advice was tendered by Ministers to the Governor shall not be inquired into in any Court. Article 164 relates to the appointment of Ministers and the Chief Minister. Sub-clauses (1) and (3) of Article 163, run as follows :

"163. *Council of Ministers to aid and advice Governor.*—(1) There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them in his discretion.

(2) *** *** ***
*** *** ***

(3) The question whether any, and if so what, advice was tendered by Ministers to the Governor shall not be inquired into in any Court."

Sub-clause (1) and (3) of Article 164, run as follows :

"*Other provisions as to Ministers.*—(1) The Chief Minister shall be appointed by the Governor and the other Ministers shall be appointed by the Governor on the advice of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor;

Provided that in the States of Bihar, Madhya Pradesh and Orissa, there shall be Minister in charge of tribal welfare who may in addition be in charge of the welfare of the Scheduled Castes and backward classes or any other work.

(2) *** *** ***
*** *** ***

(3) Before a Minister enters upon his office, the Governor shall administer to him the oaths of office and secrecy according to the forms set out for the purpose in the Third Schedule.

(4) *** *** *** *** *** ***
*** *** *** *** *** ***

(5) *** *** *** *** *** ***
*** *** *** *** *** ***

Items V and VI of the Third Schedule containing the forms of oaths of office and secrecy of a Minister for State may also be quoted :

V

Form of oath of office for a Minister for a State :—

'I, A.B., do swear in the name of God that *solemnly affirm* that I will bear true faith and allegiance to the Constitution of India as by law established that I will upheld the sovereignty and integrity of India that I will faithfully and conscientiously discharge my duties as a Minister for the State of.....and that I will do right to all manner of people in accordance with the Constitution and the law without fear or favour, affection or illwill."

VI

Form of oath of secrecy for a Minister for a State :—

'I, A.B. swear in the name of God that *solemnly affirm* I will not directly or indirectly, communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as a Minister for the State of..... except as may be required for the due discharge of my duties as such Minister."

(6) Articles 190, 191 and 192 of the Constitution deal with disqualifications of members of Houses of Legislature of a State. Article 191 provides that a person shall be disqualified for being chosen as and for being a member of the Legislative Assembly or a Legislative Council of a State :—

(a) if he holds any office of profit under the Government of India or the Government of any State specified in the First Schedule, other than an office declared by the Legislature of the State by law not to disqualify its holder :

(b) if he is of unsound mind and stands so declared by a competent Court;

(c) if he is an undischarged insolvent;

(d) if he is not a citizen of India, or has voluntarily acquired the citizenship of a foreign State, or is under any acknowledgement of allegiance or adherence to a foreign State;

(e) if he is so disqualified by or under any law made by Parliament.

Explanation.—For the purpose of this clause a person shall not be deemed to hold an office of profit under the Government of India or the Government of any State specified in the First Schedule by reason only that he is a Minister either for the Union or for such State.

A person shall be disqualified for being a member of the Legislative Assembly or Legislative Council of a State if he is so disqualified under the Tenth Schedule. In this context, Article 192 also assumes importance. It provides that if any question arises as to whether a member of a House of a Legislature of a State has become subject to any disqualification mentioned in clause (1) of Article 191, the question shall be referred for decision of the Governor and his decision shall be final. The Governor shall, however, obtain opinion of the Election Commission before giving such decision and shall act according to such opinion.

(7) *The above provisions in the Constitution manifest.*—(i) that the appointment of the Chief Minister is by the Governor and that he and his Ministers hold offices during the pleasure of the Governor; (ii) that the Minister/Chief Minister has to subscribe an oath of office; and (iii) that the grounds on which a person shall be disqualified for being chosen as or for being a member of the Legislative Assembly or a Legislative Council of a State are specifically provided and the dispute/question if a member of the House of Legislature of a State has become subject to any disqualification has to be referred to the decision of the Governor whose decision shall be final. Even in that case he shall obtain the opinion of the Election Commission and shall act according to such opinion.

(8) Articles 191 and 192 of the Constitution exhaustively deal with and furnish a composite machinery regarding the disqualification of a Member of the Legislative Assembly. It is significant to notice that breach of oath as a Minister an oath which he takes before entering the office is not such a disqualification either under the Constitution (Article 191) or even under any other law made by Parliament including the Representation of the People Act. Violation of oath may be betrayal of faith reposed in the person taking oath which unfailingly indicates and demostrates a fundamental Code of Conduct. Nevertheless to hold violation of oath as a disqualification would mean adding another clause in Article 191 of the Constitution which obviously is neither desirable nor permissible.

(9) It may further be noticed that such breach of oath is not a permanent disqualification or a permanent disability for a Member under the Constitution or under a law. Even in terms of Article 191 the disqualification lasts so long as the conditions exist and no further. Reference in this regard may be usefully made to the Division Bench decision of the Kerala High Court in *Kallara Sukumaran* v. *Union of India* (2). A situation was rightly conceived where a person enters an office as an unqualified person to continue so by operation of the disqualification provisions of the Constitution as in a case where a person becomes a Minister without being a Member of the Legislature of the State. In that event he can function as such for six months whereafter he would cease to be a Minister in case at that time he is not a Member of the Assembly. Similarly a person duly elected as a Member of the Assembly may become subsequently disqualified in any of the modes mentioned under Article 191. In that event, his existing Membership is extinguished and operates as a bar for further or a further choice of a person as a Member of the Legislative Assembly. The Court also noticed that an authority to take a decision as to disqualification referred to under Article 191 of the Constitution is the Governor who has to act in the manner specified under Article 192. We are in complete agreement with the view taken by the Division Bench that these provisions forcefully suggest that the Constitution exhaustively deals and provides for heads of disqualification. We are also in agreement with the view taken by the Division Bench that it is not for the Courts to expand the scope of disqualification or increase the heads of disqualification. As in that case, so also here, as we have noted above, the contention is that violation of oath by the Chief Minister (in that case by the Minister) operates as disqualification. The contention has to be rejected as in our opinion that will tantamount to adding grounds of disqualification provided under the Constitution. That certainly is not our function.

(10) It is true that oath of an office or of secrecy are not empty formalities. Oath are of Constitutional significance. The form of the oath quoted above itself tells about the solemnity and seriousness of the matters covered thereby. They contain words of high passion and innovation. The oath extends to social, political and economic sphere and requires the person taking the oath to uphold the Constitution and the laws and to do justice to all. Breach of such oath may raise complex political questions. They cannot be lightly treated. Looking to its broad sweep, the breach or violation

(2) A.I.R. 1986 Kerala 122.

of oath may be in respect of many matters. Nevertheless any violation thereof may not travel in the realm of disqualification as pointed out in *Kallara Sukumaran's case* (supra). Malfunctioning of a Minister/Chief Minister or by any Member of the Assembly would be primarily a matter of assessment and judgment at the political level. That assessment and judgment shall have to be made by the party to which the erring Member belongs or finally by the people to whom he is ultimately accountable. As pointed out in *S. P. Gupta* v. *President of India* (3), the Courts do not have to embark upon an enquiry if there exists any breach of oath. The Governor certainly has the power under Article 192 in case of a Chief Minister to intervene and bring about conciliation or correction. The failure of the Chief Minister of a State or Governor in that behalf may attract Presidential action under Article 356 of the Constitution on his satisfaction that there is break down of the Constitutional machinery in the State. The Division Bench noted that the morality or propriety of an undersirable person continuing as a Minister is essentially a Political question to be eminently dealt with and at any rate initially at the political level. Frankfurter J. in *Charles W. Baker* v. *Joc. C. Carr.* (1962) (4), at page 716 forcefully expressed as follows :—

> ".....there is not under our constitution a judicial remedy for every political mischief....."

11. We are tempted to quote the Division Bench,—"Experiments with Ministers and Ministries is a necessary sequel to a developing democracy. And as for Ministries one may not particularly be perturbed by an unceasing process of their cradles and coffins."

While appreciating the necessity of a citizen to safeguard the future of the nation, the Division Bench reposed confidence in the Constitutional functionaries empowered to deal with such matters and that they shall not be averse to their duties under the Constitution and the laws if an occasion for the action actually arises.

(12) It may also be noticed that consequences of a disqualification from Membership are mentioned in Article 193. If he is disqualified from Membership on the grounds mentioned in Article 191, and if he still sits or votes as a Member of the Legislative Assembly or a Legislative Council of a State before complying with the requirements of Article 188, he is visited with penalty as mentioned in Article

(3) A.I.R. 1982 S.C. 149.
(4) (1962) 369 US 186:7 Led 2d 663.

193. It is significant that the Constitution makes no express provision as to the consequences of a breach of oath by a Minister. In that event, as we have noted above, the only course to be adopted is as indicated under Article 192 of the Constitution.

(13) For the aforesaid reasons, we are of the opinion that the alleged violation/breach of oath by the respondent Chief Minister who was admittedly qualified to occupy that office on taking the prescribed oath has not rendered him disqualified to continue to hold that office of the Chief Minister.

(14) The matter can be looked from yet another angle. We have seen that it is the Governor who appoints the Chief Minister holds office during the pleasure of the Governor and that before entering upon his office, the Chief Minister has to take oath of office and secrecy which oath is administered to him by the Governor. During the Constituent Assembly Debates, Dr. Ambedkar, in his speech while discussing this provision said that undoubtedly, the Ministry is to hold office during such time as it holds the confidence of the majority. It is on this principle that the Constitution has to work. All the same, the reason stated for not working the provision in that fashion is stated by Dr. Ambedkar in these words,—

> "The reason why we have not so expressly stated is because it has not been stated in that fashion or in those terms in any of the Constitutions which lay down a parliamentary system of government. 'During pleasure' is always understood to mean that the 'pleasure' shall not continue notwithstanding the fact that the Ministry has lost the confidence of the majority. The moment the Ministry has lost the confidence of the majority it is presumed that the President will exercise his 'pleasure' in dismissing the Ministry and therefore it is unnecessary to differ from what I may say the sterotyped phraseology which is used in all responsible governments."

(Constituent Assembly Debates Volume 8, page 520) *In K. C. Chundy* v. *R. Balakrishna Pillai* (6), the Full Bench of the Kerala High Court also took the view that the appointing authority being the Governor, it is he, who can consider whether there was in fact any breach of oath. Termination of the tenure of a Minister is not the function of a Court. The Full Bench also noted an earlier Division Bench decision of that Court in *Kallara Sukumaran's case*

(6) A.I.R. 1986 Kerala 116.

(supra) and held that because of the pleasure doctrine applicable to the time and office of a Minister, the office was held at the disposal of the Chief Minister or the Governor. Elucidating the matter further, another Division Bench of that Court in *Kallara Sukumaran* v. *Union of India* (7), held that what is conferred on the Governor/ Chief Minister is a discretion and not power coupled with duty. Appointing authority has not duty to act. It has unfettered discretion to react to the situation in the manner it deems fit, but domain being one of pleasure and discretion there is no scope for any judicial intervention. After quoting at length the Constituent Assembly Debates Volume 7, pages 1159 to 1160, the learned Chief Justice who delivered the judgment for the Court opined that it appears to be the intention of the founding Fathers of the Constitution to leave such matters to the good sense of the Chief Minister (in this case, the Governor) and to the good sense of the Legislature with the general public holding a watching brief. It was further observed that in the absence of a prescription by law that breach of oath shall necessarily entail forfeiture of office, the Governor and/or the Chief Minister may either remove the Minister or may take such other action according to his discretion as the situation may demand. In its ultimate analysis it was held,—

> "The decision is not required to be taken on the basis of a satisfaction on objective criteria. The matters which are entirely within the realm of pleasure and unfettered discretion of the appointing authority are not amenable to the jurisdiction of the High Court under Article 226 of the Constitution."

This view of the Kerala High Court is also shared by the Madras High Court in *Ramachandran* v. *M. G. Ramachandran* (8), and *D. Satyanarayana* v. *N. T. Rama Rao* (9). We unhesitatingly concur with the view so expressed by the aforesaid three High Courts. We may also add that no decision of any other Court was placed before us taking a contrary view.

(15) As a necessary corollary of our aforesaid discussion it follows that this Court is not competent to issue a writ of *quo warranto* or any other kind of writ or direction removing the Chief Minister for his having committed the breach of oath. It is now well settled that when a post or office is held at pleasure no writ

(7) A.I.R. 1987 Kerala 212.
(8) A.I.R. 1987 Madras 207.
(9) A.I.R. 1988 Andhra Pradesh 62.

of *quo warranto* can issue. Once a person enters upon an office lawfully and is legally entitled to hold it and the continuance depends upon the pleasure doctrine, it will not be permissible to issue a writ by way of information in the nature of *quo warranto* or a writ of *quo warranto*. The reason is that such a writ can immediately and easily be defeated by the executive will as it shall be open to it to allow such a person to assume that office again. The Full Bench of the Kerala High Court in *K. C. Chandy's case* (supra) quoted a passage from *Darley* v. *The Queen* (10), as follows :—

> "This proceeding by information in the nature of *quo warranto* will lie for usurping an office whether created by charter alone, or by the Crown, with the consent of Parliament, provided the office be of a public nature, and a substantive office, not merely the function or employment of a deputy or servant held at the will and pleasure please of others, for with respect to such an employment, the Court certainly will not interfere and the information will not properly lie."

Expressing the same view, the Full Bench of the Andhra Pradesh High Court in *D. Satyanarayana Ramachandran's* case (supra) held that the Governor may have to tolerate the continuance in office of the Chief Minister so long as he enjoys the confidence of the majority of the Members of the Assembly unless, of course, he suffers any of the disqualifications to hold that office. Since the power to terminate the tenure of the Minister vests in the Governor, it will not be just for the Courts to assume limitless jurisdiction as that may lead to a state of functional anarchy which has to be avoided in the larger public interest itself, A Chief Minister is accountable to the electorate who hold a watching brief to prevent misperformance and misrule by the elected representatives. We may quote the Full Bench to say,—

> "No gratuitous advice, muchless any specific direction, from this Court is necessary."

The Court then expressed the definite view in paragraph 14 of the judgment that whatever be the merits of the allegations made, if and when found appropriate, the power to terminate the tenure of office of the Chief Minister being vested solely in the Governor under Article 164(1) of the Constitution, no writ of *quo warranto* would issue from the Court. We have no reason to take a different view, nor could we be successfully persuaded to differ.

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(10) 12 Cl & F. 520 (537).

(16) Our conclusion, therefore, is that the mere breach of oath administered to the Chief Minister does not render him disqualified to continue to hold that office which is held by him at the pleasure of the Government. A writ in the nature of *quo warranto* cannot issue for the breach of such oath and this Court has no jurisdiction under Article 226 of the Constitution to issue any direction for the removal of the Chief Minister on that account. In this view of the matter this writ petition has to be dismissed.

(17) Before parting with this case, we may make it clear that we have proceeded on the assumption that respondent No. 1, that is, the Chief Minister of the State of Haryana, is guilty of committing breach of oath. We make it clear that the Chief Minister has only challenged the jurisdiction of the Court to issue a writ as prayed for. Right has been reserved to contest the allegations levelled against respondent No. 1 on merits if and when any such occasion may arise. It should not, therefore, be taken that adverse allegations in the writ petition were admitted by the respondent.

(18) The learned Advocate-General, Haryana, appearing for the respondents pointedly pressed for imposing heavy costs upon the petitioner in case of dismissal of this petition so as to deter levelling of such allegations in Court. Since, in our opinion, in the view we have taken, it is not necessary for this Court to go into the truth or otherwise of the allegations made, it will be premature for us to say that those allegations have been made only for certain personal political gains or any oblique motive. We, therefore, leave the parties to bear their own costs of this writ petition.

(19) The writ petition is dismissed, but without any order as to costs.

J.S.T.

(FULL BENCH)

Before : *S. S. Sodhi, A.C.J., R. S. Mongia and Ashok Bhan, JJ.*

SUB INSPECTOR RAM PHOOL AND OTHERS,—*Petitioners.*

versus

STATE OF HARYANA AND OTHERS,—*Respondents.*

Letters Patent Appeal No. 792 *of* 1992.

7th September, 1992.

Punjab Police Rules, 1934 *Vol. II—Rls.* 19 & 19.22—*Head Constables deputed to Intermediate School Course—Deputation to course not in accordance with seniority—Such deputation in direct violation*