

Delhi High Court

Dr. Pushkar Saxena vs Govt. Of Nct Of Delhi & Ors. on 16 May, 2012

Author: V. K. Jain

* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Judgment reserved on: 07.5.2012

Judgment pronounced on: 16.05.2012

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W.P.(C) 7592/2001

Dr. Pushkar Saxena

..... Petitioner

versus

Govt. of NCT of Delhi & Ors.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Ms. Rekha Palli

For the Respondent : Mr. Bhupesh Narula for R-1 & Mr. B.S.Aggarwal for DoE

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE V.K.JAIN

V.K. JAIN, J.

1. This writ petition is directed against the order dated 14.9.2001 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the Tribunal), whereby OA No. 2703/2000 filed by the petitioner was dismissed. The facts giving rise to filing of this petition can be summarized as under:

The petitioner was working as PGT (English) in Government Girls Senior Secondary School, Gandhi Nagar. He was charge-sheeted on 2.12.1996 on the allegation of misbehaviour with the female students studying in the school. The Inquiry Officer, by his report dated 1.9.1998, reported that the indecent behaviour on the part of the petitioner had been proved. The Disciplinary Authority vide order dated 27.3.2000 imposed penalty of dismissal from service upon the petitioner which was also to be a disqualification for future employment under the Government. Being aggrieved, the petitioner filed an appeal, which was disposed of by an order dated 8.9.2000. The Appellate Authority reduced the penalty from dismissal of service to compulsory retirement of the petitioner from the service. It was also directed that he would not be entitled to any benefit for the period from the date of the order of the Disciplinary Authority till the date of his compulsory retirement. The orders passed by the Disciplinary Authority and the Appellate Authority were challenged by the petitioner by way of OA No. 2703/2000 which was dismissed by the Tribunal.

2. The learned Counsel for the petitioner besides maintaining that the petitioner was completely innocent, assailed the decision of the Disciplinary Authority and the Appellate Authority as well as the view taken by the Tribunal on the ground that the Inquiry was conducted in utter disregard of the mandatory provisions of CCS (CCA) Rules, which were applicable to the inquiry held against the

petitioner as also in contravention of the fundamental and mandatory principles of natural justice.

3. The case before us is not a case of a Disciplinary Authority dispensing with the inquiry under Rule 19 of CCS (CCA) Rules or any other rule of similar nature. To dispense with an inquiry, the Disciplinary Authority, for reasons to be recorded, has to be satisfied that it is not reasonably practicable to hold an inquiry. Hence, it cannot be disputed that an inquiry was necessary, before imposing a major penalty upon the petitioner.

4. There is no material on record to show that some special procedure for inquiry into complaints of sexual harassment had been prescribed by the respondents. This is also not the case of the respondents that CSS(CCA) Rules did not apply to the petitioner. Therefore, the inquiry was required to be conducted in accordance with the procedure prescribed in Rule 14 of the said Rules, for imposing major penalties. A Proviso has been added to Sub Rule (2) of Rule 14 of the said Rules by a notification dated 1.7.2004 published on 10.7.2004. The only modification made by the Proviso is that where there is a complaint of sexual harassment, the complaint committee established to inquire into such complaints shall be deemed to be the Inquiry Authority appointed by the Disciplinary Authority and if a separate procedure has not been prescribed for the complaint committee for holding an inquiry into complaints of sexual harassment, the inquiry, as far as practicable, shall be held in accordance with the procedure laid down in the said Rules. Though the Proviso was not in the statute book when the inquiry against the petitioner was conducted, but, it is relevant to the extent, that it indicates that even now the inquiry into complaints of sexual harassment is required to be conducted, as far as it is practicable, in terms of the procedure prescribed in CCS (CCA) Rules, unless a separate procedure is prescribed for holding such inquiry by the complaints committee. Since, there is no material or even an averment that any special procedure had been prescribed for holding an inquiry into sexual harassment, at the time the inquiry was held against the petitioner, the Inquiry Officer was required to hold the inquiry, at least substantially, in accordance with the procedure prescribed in CCS (CCA) Rules.

5. In the case before us, admittedly the charge-sheet was issued to the petitioner before holding the inquiry and to this extent the procedure prescribed in Rule 14 of the said Rules was complied with. The procedure adopted by the Inquiry Officer is detailed in his report, which inter alia, reads as under:

"I along with Shri Subhash Prosecuting Officer visited the Govt. Girls Sr. Secondary School Gandhi Nagar No.1 Delhi number of times. The statement of complaining students and other students of the same class X A were recorded which are placed in the file. The statement of Sh. Pushkar Saxena PGT (Eng.) were also recorded and are placed in the file.

During the inquiry proceeding for it was noticed that four students out of nine students were not traceable and the other students of the same class XA (Name of these students are detailed in para 5 of report of (Presenting Officer) were also recorded and are available in the file.

Although out of five main complaining students only Arti and Sonika Tomar have stated about the indecent behavior of Sh. Pushkar Saxena PGT (Eng.). Yet the remaining students have not stated anything about the conduct of Sh. Saxena. It was noticed that students were afraid of their involvement in the court proceedings even after completion of this inquiry and under this impression they were reiterating from their previous statements recorded at the preliminary inquiry stage. The possibility of misbehaviour indecent behavior on the part of Sh. Saxena cannot be ruled out. Moreover the other students (as per list of para 5 of POS report) have on the part impression that there was something wrong on the part of Sh. Saxena. In this group the statement of Miss Kamlesh Choudhary and Yashoda Gupta are worth nothing like wise the statement of Priya Shukla and Priti Saxena are also of importance which may be taken note of it."

6. The procedure adopted by the Inquiry Officer was assailed by the learned Counsel for the petitioner primarily on the following grounds:

1. The report of Preliminary Enquiry was not supplied to the petitioner though the Inquiry Report as well as the Statement of Imputations of misconduct or misbehaviour in support of the Articles of Charge framed against the petitioner indicate that a Preliminary Enquiry was conducted.
2. The witnesses mentioned in the report of the Inquiry Officer were not examined in the presence of the petitioner.
3. The petitioner was not given an opportunity to cross examine the witnesses.
4. The petitioner was not given an opportunity to produce witnesses in his defence.

7. A perusal of Annexure III to the Memorandum of Charge dated 2.12.1996 served upon the petitioner would show that not only the Preliminary Enquiry Report dated 22.12.1995 but reports of 09 students mentioned in para 02 of the Annexure were amongst the documents by which the Articles of Charge were proposed to be sustained against the petitioner. The supplementary report of the Inquiry Officer dated 1.9.1998 also has reference to the Preliminary Enquiry. It was, therefore, obligatory on behalf of the respondents to provide a copy of the Preliminary Enquiry Report as well as the report of these students to the petitioner in addition to other documents mentioned in Annexure III to the Memorandum of Charge dated 2.12.1996. A perusal of the Inquiry Report would show that out of the students mentioned in para 02 of Annexure III to the Memorandum of Charge dated 2.12.1996, two had stated about the alleged indecent behavior of the petitioner. The report indicates that out of the 09 students mentioned in para 02 of the said Annexure, 05 were examined by the Inquiry Officer. The remaining students were not traceable and therefore could not be examined. It was obligatory for the respondents to supply copies of the reports made by all these students to the petitioner, before they were examined by the Inquiry Officer. The previous reports made by these students were necessary for the petitioner to enable him to cross examine them effectively and without any handicap on account of non-supply of these previous

reports/statements, the petitioner did not get an opportunity to contradict them with reference to those statements. It can be hardly disputed that the petitioner was prejudiced in making his defence on account of non-supply of these vital documents to him.

8. Vide OM No. F-30/5/61-AVD dated 25.8.1961 Government of India, Ministry of Home Affairs issued certain instructions with respect to supply of copies of documents and of affording access to official record to the delinquent officials. The OM inter alia reads as under:

"x x x The power to refuse access to official records should, however, be very sparingly exercised. The question of relevancy should be looked at from the point of view of the defence and if there is any possible line of defence to which the document may, in some way be relevant though the relevance is not clear to the disciplinary authority at the time that the request is made, the request for access should not be rejected.

x x x Government servants involved in departmental enquiries often ask for access to and or supply of copies of:-

(1) documents to which reference has been made in the statement of allegations;

(2) documents and records not so referred to in the statement of allegations but which the Government servant concerned considers or relevant for the purposes of his defence;

(3) statement of witnesses recorded in the course of -

- (a) a preliminary enquiry conducted by the department; or
- (b) x x x

(4) reports submitted to Government or other competent authority including the disciplinary authority, by an officer appointed to hold a preliminary inquiry to ascertain facts;

(5) X X X A list of the documents which are proposed to be relied upon to prove the charge and the facts stated in the statement of allegations should be drawn up at the time of framing the charge. This will incidentally reduce the delay that usually occurs between the service of the charge-sheet and the submission of the written statement. The list should normally include documents like the First Information Report if there is one on record. Anonymous and pseudonymous complaints on the basis of which inquiries were started need not be included in the list. The list so prepared should be supplied to the officers either alongwith the charge-sheet or as soon thereafter as possible. The officer should be permitted access to the documents mentioned in the list if he so desires.

x x x
x x x. Reports made after a preliminary enquiry, or the report made by the Police after

investigation, other than those referred to in clause (a) of Sub- Section 1 of Section 173 of the Code of Criminal Procedure, 1898, are usually Confidential and intended only to satisfy the competent authority whether further action in the nature of a regular departmental inquiry or any other action is called for. These reports are not usually made use of or considered in the inquiry. Ordinarily even a reference to what is contained in these reports is not made in the statement of allegation. It is not necessary to give access to the Government servant to these reports. (It is necessary to strictly avoid any reference to such reports in the statement of allegations as, if any reference is made, it would not be possible to deny access to these reports; and giving of such access to these reports will not be in public interest for the reasons stated above).

The only remaining point is whether access should be given to the statements of witnesses recorded in the course of a preliminary enquiry conducted by the department or investigation made by the Police and if so, whether the access should be given to the statements of all witnesses or to the statements of only those witnesses who are proposed to be examined in proof of the charges or of the facts stated in the statement of allegations. These statements can be used only for the purposes of cross-examination and the Government servant is called upon to discredit only those witnesses whose statements are proposed to be relied upon in proof of the charges or of the facts stated in the statement of allegations. As such the Government servant concerned need not be given access to the statements of all witnesses examined in the preliminary enquiry or investigation made by the Police and access should be given to the statements of only those witnesses who are proposed to be examined in proof of the charges or the facts stated in the statement of allegations.

(emphasis supplied) In the light of the above referred instructions issued by the Government of India it is difficult to dispute that the report of the Preliminary Enquiry which is one of the documents relied upon in the charge sheet and is also referred in the report of the IO as well as the witnesses, who were sought to be examined by the Presenting Officer, were required to be supplied to the petitioner before the students mentioned in the Annexure in III of Memorandum of Charge dated 2.12.1996 were examined by the Inquiry Officer.

9. In *Bidyug Chakraborty (Prof.) v. Delhi University & Ors.*: 2009 VI AD (Delhi) 1, on complaints of sexual harassment being made against the petitioner before this Court who was working in University of Delhi, an Inquiry Committee was set up to investigate the complaints. The Committee submitted its report holding the petitioner guilty of sexual harassment. Pursuant to the report of the Committee, the Executive Council of the Committee warned the petitioner and also debarred him from holding any administrative post in the University for a period of 03 years. The petitioner filed the aforesaid writ petition seeking quashing of the Memorandum, whereby warning was given to him and he was debarred from holding any administrative post in the University for a period of 03 years as well as the report of the Inquiry Committee. Ordinance XV-D of Delhi University which applied to the inquiry held against the petitioner inter alia provided that the complainant and the accused would be called separately so as to ensure freedom of expression and an atmosphere free of intimidation. The Committee did not give an opportunity to the petitioner for verbal cross-examination of the witnesses examined by it and copies of their statements were not supplied to him. After completion of examination of the witnesses no opportunity was given to the petitioner to produce defence witnesses though at the time of supplying the charge- sheet to him he was given

an opportunity to give names of the witnesses whom he wanted the Committee to examine. Allowing the writ petition a Division Bench of this Court, inter alia, held as under:

"As noted earlier, no opportunity was given to the petitioner for verbal cross examination of the complainant. A perusal of the inquiry report shows that the committee informed the petitioner that he could cross examine the complainant by giving written questions to the committee. In our opinion, mere permission to give written questions to the committee for cross examination of the complainant does not fulfil the legal requirement on the part of the Inquiring Authority, to give opportunity to the delinquent to cross examine her. Cross examination by giving written questions to the inquiring authority can never be as effective as verbal cross examination and cannot be its proper substitute. While putting questions to a witness the examiner does not know what answer the witness would give to the questions put to him/her. It is, therefore, not possible for him to formulate the next question without taking into consideration the answer given by the witness. The answer given by the witness to one question may lead to further questions from the examiner on the same line, in order to elicit truth from the witness and to impeach his/her trustworthiness. Moreover, asking the petitioner to give written questions for cross examination was confined in respect of the complainant alone. No opportunity was given to the petitioner even to give written questions for cross examination of other witnesses examined by the committee. It was imperative on the part of the Inquiring Authority to give opportunity to the petitioner for her cross examination not only of the complainant but also of the other witnesses examined by it. Denial of opportunity to cross examine the complainant and other witnesses examined by the committee constitutes gross violation of principles of natural justice.

Rule 14(16) of CCS/ CCA rules mandates the Disciplinary Authority to ask the delinquent to state his defence which is to be recorded unless it is a written statement. Clause 17 of this rule requires the Inquiring Authority to then call upon the delinquent to produce his evidence. He may, if he chooses so, examine himself in his defence. In the present case, though at the time of serving charge sheet upon the petitioner, the committee asked him to give list of witnesses whom he wanted to be examined by the committee, no such opportunity was given to him after the committee had examined the complainant and other witnesses in support of the complaint. The committee was required not only to give an opportunity to the petitioner to produce his witnesses but those witnesses were to be cross examined by the petitioner and not by the committee, though, it would have been open to the committee to examine them after they had been examined by the petitioner and had also been subjected to cross examination."

This Court noted that Ordinance XV-D of the University which prescribed the procedure for holding inquiry into allegations of sexual harassment did not contain provisions identical to Sub Rule 16 & 17 of Rule 14 of CCS (CCA) Rules. However, considering the decision of Supreme Court in Medha Kotwal Lele & Ors. v. Union of India & Ors.: WP(C) No. 173-177/1999 decided on 26.4.2004 it was

held that since the Complaint Committee is deemed to be an Inquiry Authority for the purpose of CCS (CCA) Rules, it was obligatory to at least follow the fundamental norms for conducting inquiries and unless such a requirement was held to be implicit in the Ordinance it may not be possible to sustain the validity of the inquiry procedure prescribed therein. The Court was of the view that the inquiry conducted without giving an opportunity to the delinquent to cross examine the witness and without giving him an opportunity to produce the witnesses in his defence would not conform to the basic principles of natural justice and a procedure which does not contain even these minimum safeguards for the delinquent cannot be said to be a fair and reasonable procedure for conducting an inquiry.

The decision of this Court was challenged by University of Delhi before the Supreme Court vide SLP No. 23060/2009. The Supreme Court was of the view that the respondent before it was entitled to a hearing and to cross examine the witnesses produced by the University. However, considering that it was a case of sexual harassment, the Supreme Court directed that the identity of witnesses need not be revealed to the respondent or to his Counsel and for this purpose the respondents would be entitled to submit a questionnaire which will be put to the witnesses for their answers in writing. The learned Counsel for the University undertook to supply the statements of witnesses, without disclosing their names to the respondents and a Local Commissioner was appointed by the Supreme Court for the purpose of getting answers to the questions to be supplied by the respondents. The Local Commissioner was directed to ensure the anonymity of the witnesses. It was also stated by the learned Counsel for the University that the respondents would be entitled to produce their entire defence evidence in addition to the questionnaire and all annexures to the respondent without revealing the identity of the witnesses.

10. As noted earlier, the inquiry against the petitioner before us was required to be held in accordance with CCS (CCA) Rules as no special procedure had been prescribed for holding inquiry into allegations of sexual harassment. Therefore, the case of the petitioner stands on a much stronger footing than Bidyug Chakraborty (*supra*), in whose case the Ordinance issued by the University did not expressly provide for giving opportunity to the delinquent to cross examine the witnesses and to produce his witnesses in defence. Despite that, the right of the respondent to cross examine the witnesses as well as to produce the witnesses in defence was upheld not only by this Court but Supreme Court as well. The only modification made by the Supreme Court to the order of this Court was that instead of being cross examined in the presence of the respondents, the witnesses were permitted to answer the questions of the respondent, before a Local Commissioner on the basis of a questionnaire to be supplied by the respondent. Since the petitioner before this Court was not given an opportunity to cross examine the witnesses, who are alleged to have deposed against him and no opportunity was given to him to examine witnesses in defence, the orders imposing penalty upon the petitioner is liable to be set aside.

11. In *State of Madhya Pradesh v. Chintaman*: AIR 1961 SC 1623, the respondent who had been dismissed from service sought quashing of the order of dismissal on the ground that the Inquiry was held in violation of the principles of natural justice inasmuch as the statements of witnesses recorded in the Preliminary Inquiry were not supplied to him as a result of which he could not effectively cross examine the witnesses produced before the Inquiry Officer. It was held that right to

cross examine the witnesses, who gave evidence against the delinquent, is a very valuable right and if effective exercise of that right is prevented on account of denial of documents to which the delinquent is entitled, the Inquiry cannot be said to have been held in accordance with the principles of natural justice. In *State of Punjab v. Bhagat Ram*: (1975) 2 SCR 370, copies of Statements of Witnesses recorded during investigation and produced at the Disciplinary Inquiry in support of the charges framed against the delinquent were not supplied. Instead, a synopsis of the statements was supplied to him. The Supreme Court held that it was unjust and unfair to deny copies of statements of witnesses recorded during investigation and produced in support of charges leveled against the Government Servant. The Court felt that in the absence of copies of Statements of Witnesses, the Government Servant could not have had an opportunity of effective and useful cross examination of the witnesses produced during the Disciplinary Inquiry.

12. The next question which comes up for consideration before us is as to whether the whole of the procedure prescribed in CCS (CCA) Rules for holding major penalty enquiry needs to be strictly applied to an enquiry into allegations of sexual harassment or it would be sufficient if only those provisions of the said rules which embody fundamental principles of natural justice and fair play are observed while conducting such inquiries.

13. It was observed by Supreme Court in *Apparel Export Promotion Counsel v. A.K. Chopra* (1999) 1 SCC 759, in the context of sexual harassment at the place of work, that such incidents result in violation of the fundamental right to gender equality and the right to life and liberty, the two most precious fundamental rights guaranteed by the Constitution of India. It was further observed that the contents of fundamental rights guaranteed in our Constitution are of sufficient amplitude to encompass all facets of gender equality, including prevention of sexual harassment and abuse and the Courts are under a constitutional obligation to protect and preserve those rights. The observations made by the Supreme Court in the context of sexual harassment at the work place apply with a greater vigour in respect of sexual harassment of students, who, on account of their tender age and impressionable mind are at a greater disadvantage in resisting such advances.

In *Avinash Nagra v. Navodaya Vidyalaya Samiti and Ors.*(1997) II LLJ 640 SC, the Supreme Court, referring to our ancient text and teachings, observed that a duty is cast on the teachers to take such care of the pupils as a careful parent would take of his children. It was further observed that since middle class people are now sending girls to co-educational institutions, a greater responsibility is thrust on the management of the school and colleges imparting co-education to protect the young children and, in particular growing up girls in a disciplined and dedicated pursuit of excellence. The Court observed that the teacher, who is kept in charge of such added responsibility, should conduct himself more like a Rishi and as *loco parentis*.

In our opinion, all the rules and principles of natural justice, which apply to service jurisprudence in respect of disciplinary proceedings between master and servant, need not necessarily be applied to the disciplinary proceedings taken against a teacher on the basis of complaints made by students, if the allegations made against him constitute misconduct, founded on sexual harassment. It must, however, at the same time be ensured that the teacher concerned is afforded a fair opportunity to controvert the allegations and defend himself and the explanation given by him along with the

evidence which he may choose to tender in his defence are duly considered before a decision is taken in respect of the allegations made against him.

14. In *Hira Nath Mishra and Ors. Vs. The Principal, Rajendra Medical College, Ranchi and Anr.* (1973) II LLJ 111 SC, the Supreme Court held that principles of natural justice are not inflexible and may differ in different circumstances. The Court was of the view that the principles of natural justice did not require that the statements of girl students should be recorded in the presence of male students against whom the enquiry was held in that case. The principles of natural justice will, therefore, depend upon the facts and circumstances of each case.

15. As far as cross-examination of the witnesses are concerned, as observed by the Supreme Court in *K.L. Tripathi v. State Bank of India and Ors.* (1984) IILLJ 2 SC, if the version or statement of the person who has testified, is, in dispute, right of cross-examination must invariably form part of fair play in action though there may be no requirement of cross-examination when there is no dispute between the parties with respect to the facts.

Though, ordinarily, cross-examination of witnesses needs to be conducted in the presence of the delinquent, we are of the view that in the case of an inquiry into allegations of sexual harassment, such cross-examination need not necessarily be in the presence of the delinquent, since sometimes the very presence of the delinquent may result in putting pressure upon the witnesses, particularly, if they are children and may discourage them from coming out with the truth. Moreover, cross-examination in the presence of the delinquent, would invariably result in disclosing the identity of the victim and/or witnesses, even where it is not necessary to disclose their identity. The necessity of withholding the identity of the victim and/or witnesses of sexual harassment was acknowledged by Supreme Court in *Bidyug Chakraborty (supra)*, when it directed cross-examination of the witnesses, by way of interrogatories through a Local Commissioner.

However, in the case before us the names of all the girl students have been disclosed not only in the list of witnesses, but also in the Inquiry Report which has already been supplied to the petitioner. Therefore, no useful purpose would be served by asking the petitioner to submit the questionnaire, containing the questions he wants to put to the witnesses and appointing a Local Commissioner to record the answer of the witnesses to such questions. In any case, no one has appeared on behalf of the respondents during the course of the arguments before us and consequently, no such request has been made before us.

16. For the reasons stated hereinabove we dispose of the writ petition with following directions:

1. The order dated 14.9.2001 passed by the Tribunal in OA No. 2703/2000, the order dated 27.3.2000 passed by the Disciplinary Authority as well as the order dated 8.9.2000 passed by the Appellate Authority are hereby set aside.
2. The matter is remitted for conducting further inquiry in terms of the directions given hereinbelow:

(i) The respondents will supply a copy of the Preliminary Enquiry report as well as the reports of such students referred to in para 02 of annexure III to the Memorandum of Charge dated 22.12.1996 who were examined by the Inquiry Officer, as well as their statements recorded by the Inquiry Officer.

(ii) In case a Complaints Committee in terms of the decision of the Supreme Court in Vishaka and Ors. v. State of Rajasthan and Ors.

(1997) 6 SCC 241 has been constituted, the allegations against the petitioner would be inquired into by that Committee. In case no Complaints Committee in terms of Vishaka (supra) has so far been set up, the Disciplinary Authority will constitute an Inquiry Committee headed by a Woman Officer within 04 weeks from the date of this order and further inquiry in the matter would be conducted by that Committee. At least half of the members of the Committee would be females.

(iii) Further inquiry in the matter would begin from the stage of cross-

examination of the witnesses. The petitioner would be entitled to cross examine the witnesses who were earlier examined by the Inquiry Officer, through a female defence Assistant of his choice. He would, however, not be present at the time of their cross-examination. If the petitioner does not avail the services of a female Defence Assistant, he will submit a questionnaire, giving the questions he wants the witnesses to answer, and the answers to the questions will be obtained by the Inquiry Committee. The petitioner will not be present at that time.

(iv) The respondents shall be entitled to examine such other witnesses mentioned in the list of witnesses, who were not examined by the previous Inquiry Officer. If the respondents decide to examine any such witness, the copy of the previous complaint/statement made by her/him shall be provided to the petitioner, before examining him/her.

(v) After examination of the witnesses of the respondents, the petitioner will be given an opportunity to examine witnesses in his defence.

(vi) A fresh Inquiry Report will be submitted by the Inquiry Committee after completing inquiry in terms of this order within 06 months from the date of this order.

(vii) On submission of the inquiry report, the Disciplinary Authority shall proceed further in the matter in accordance with law and relevant rules on the subject, and take a final decision thereon, within three months of the receipt of the report.

The writ petition stands disposed of in terms of the directions contained hereinabove. No order as to costs.

V.K.JAIN, J BADAR DURREZ AHMED, J MAY 16, 2012 vn/bg