

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

CRL.M.C. 3864/2018 & CRL.M.A. 29159/2018

Reserved on : 11.02.2020

Date of Decision : 04.05.2020

IN THE MATTER OF:

SAI GIRDHAR RAJ KUMAR Petitioner
Through: Mr. Amarjeet Sahni and
Ms. Aishwarya Agarwal,
Advocates
versus

ARUN KAPOOR & ORS Respondents
Through: Mr. Shivam Goel and
Mr. Surender Gupta, Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

MANOJ KUMAR OHRI, J.

1. The present proceedings impugn order dated 21.01.2014 whereby the petitioner was summoned in complaint case bearing CC No. 465731/2016 instituted under Section 138 read with Sections 141/142 of the NI Act. The petitioner has also impugned the order dated 21.01.2014 by which the petitioner's application seeking recall of the summoning order was dismissed being not maintainable.

2. Learned counsel for the petitioner has raised two-fold contention. He submitted that the petitioner was appointed as a Director of the accused company on 20.09.2011 and had resigned on 30.11.2013. He contended that the petitioner being a non-executive Director was never in-charge of the business of the accused company or responsible to the

company for the conduct of its business. He further contended that in the complaint, no specific allegation or averment has been made against the present petitioner and in the absence of any specific averment, the petitioner cannot be made vicariously responsible for the offence under Section 138 of N.I. Act. In support of his submissions, he has placed reliance on the decisions in National Small Industries Corporation Limited v. Harmeet Singh Paintal and Another reported as **(2010) 3 SCC 330**, Mannalal Chamaria and Another v. State of West Bengal and Another reported as **(2014) 13 SCC 571**, J.N. Bhatia & Others v. State & Another reported as **(2007) 139 DLT 361** and Shashi Adlakha v. Housing Development Finance Corporation Ltd. reported as **2019 SCC OnLine Del 7160**.

3. *Per contra*, learned counsel for the respondents contended that the present petition is filed after a lapse of four years from the passing of the summoning order and as such is only a delaying tactic. While referring to the Form 32 filed on record by the petitioner, he submitted that the petitioner was rather an 'Executive Director' in the category of 'Promoter'. He submitted that no specific averment is required to be made against an Executive Director. In support of his submission, learned counsel for the respondent referred to the decision of the Supreme Court in A.R. Radha Krishna v. Dasari Deepthi & Ors. reported as **(2019) 15 SCC 550**.

4. I have heard learned counsels for the parties and have also gone through the case records.

5. The cheques in question were issued on 10.10.2013 and 10.11.2013 for Rs.9 lacs each and were returned dishonoured vide return

memos dated 16.11.2013 and 14.11.2013 respectively for the reason “insufficient funds”.

6. A perusal of the Petitioner’s Form 32 placed on record shows that contrary to both the pleadings as well as the submission of the learned counsel for the petitioner, the petitioner was appointed as an ‘Executive Director’ in the category of ‘Promoter’ on 20.09.2011. It is the case of the petitioner that he resigned from the company on 30.11.2013.

7. Section 2(k) of the Companies (Specification of Definitions Details) Rules, 2014 published in the Gazette of India dated 31.03.2014, defines ‘Executive Director’ as follows: -

“Executive Director” means a whole time Director as defined in Clause (94) of Section 2 of the Act.”

8. Section 2(69) of the Companies Act, 2013 defines ‘Promoter’ as follows: -

“Promoter” means a person-

(a) who has been named as such in a prospectus or is identified by the company in the annual return referred to in section 92; or

(b) who has control over the affairs of the company, directly or indirectly whether as a shareholder, director or otherwise; or

(c) in accordance with whose advice, directions or instructions the Board of Directors of the company is accustomed to act:

Provided that nothing in sub-clause (c) shall apply to a person who is acting merely in a professional capacity”

9. Section 2(94) of the Companies Act, 2013 defines a Whole-time Director as follows: -

“Whole-time Director” includes a Director in the whole-time employment of the company.”

10. Further, Section 5 of the Companies Act, 1956 defines the meaning of “Officer who is in default”. It provides as under: -

“5. Meaning of "officer who is in default".

For the purpose of any provision in this Act which enacts that an officer of the company who is in default shall be liable to any punishment or penalty, whether by way of imprisonment, fine or otherwise, the expression "officer who is in default" means all the following officers of the company, namely:-

- (a) the managing Director or Managing Directors;*
- (b) the whole- time Director or whole- time Directors;*
- (c) the manager;*
- (d) the secretary;*
- (e) any person in accordance with whose directions or instructions the Board of Directors of the company is accustomed to act;*
- (f) any person charged by the Board with the responsibility of complying with that provision:*

Provided that the person so charged has given his consent in this behalf to the Board;

(g) where any company does not have any of the officers specified in clauses (a) to (c), any Director or Directors who may be specified by the Board in this behalf or where no director is so specified, all the directors:

Provided that where the Board exercises any power under clause (f) or clause (g), it shall, within thirty days of the exercise of such powers, file with the Registrar a return in the prescribed form.”

11. Even as per Section 2(60) of the Companies Act, 2013, a ‘Whole-time Director’ remains an “officer who is in default”

12. The liability of Directors and other officers of the company for the offence punishable under Section 138 NI Act came up for consideration before the Supreme Court in K.K. Ahuja v. V.K. Vora & Anr. reported as **(2009) 10 SCC 48**, where it was held as under: -

“20. Section 291 of the Companies Act, 1956 provides that subject to the provisions of that Act, the Board of Directors of a company shall be entitled to exercise all such powers, and to do all such acts and things, as the company is authorised to exercise and do. A company though a legal entity can act only through its Board of Directors. The settled position is that a Managing Director is prima facie in charge of and responsible for the company's business and affairs and can be prosecuted for offences by the company. But insofar as other Directors are concerned, they can be prosecuted only if they were in charge of and responsible for the conduct of the company's business.

21. A combined reading of Sections 5 and 291 of the Companies Act, 1956 with the definitions in clauses (24), (26), (30), (31), (45) of Section 2 of that Act would show that the following persons are considered to be the persons who are responsible to the company for the conduct of the business of the company:

- (a) the Managing Director(s);*
- (b) the whole-time Director(s);*
- (c) the manager;*
- (d) the secretary;*

(e) any person in accordance with whose directions or instructions the Board of Directors of the company is accustomed to act;

(f) any person charged by the Board with the responsibility of complying with that provision (and who has given his consent in that behalf to the Board); and

(g) where any company does not have any of the officers specified in clauses (a) to (c), any Director or Directors who may be specified by the Board in this behalf or where no Director is so specified, all the Directors.

It follows that other employees of the company, cannot be said to be persons who are responsible to the company, for the conduct of the business of the company.

22. Section 141 uses the words “was in charge of, and was responsible to the company for the conduct of the business of the company”. (emphasis supplied) It is evident that a person who can be made vicariously liable under sub-section (1) of Section 141 is a person who is responsible to the company for the conduct of the business of the company and in addition is also in charge of the business of the company. There may be many Directors and secretaries who are not in charge of the business of the company at all. The meaning of the words “person in charge of the business of the company” was considered by this Court in Girdhari Lal Gupta v. D.H. Mehta followed in State of Karnataka v. Pratap Chand and Katta Sujatha v. Fertilizers & Chemicals Travancore Ltd. This Court held that the words refer to a person who is in overall control of the day-to-day business of the company. This Court pointed out that a person may be a Director and thus belongs to the group of persons making the policy followed by the company, but yet may not be in charge of the business of the company; that a person may be a manager who is in charge of the business but may not be in overall charge of

the business; and that a person may be an officer who may be in charge of only some part of the business.

23. Therefore, if a person does not meet the first requirement, that is, being a person who is responsible to the company for the conduct of the business of the company, neither the question of his meeting the second requirement (being a person in charge of the business of the company), nor the question of such person being liable under sub-section (1) of Section 141 arises. To put it differently, to be vicariously liable under sub-section (1) of Section 141, a person should fulfil the “legal requirement” of being a person in law (under the statute governing companies) responsible to the company for the conduct of the business of the company and also fulfil the “factual requirement” of being a person in charge of the business of the company.

24. Therefore, the averment in a complaint that an accused is a Director and that he is in charge of and is responsible to the company for the conduct of the business of the company, duly affirmed in the sworn statement, may be sufficient for the purpose of issuing summons to him. But if the accused is not one of the persons who falls under the category of “persons who are responsible to the company for the conduct of the business of the company” (listed in para 21 above), then merely by stating that “he was in charge of the business of the company” or by stating that “he was in charge of the day-to-day management of the company” or by stating that “he was in charge of, and was responsible to the company for the conduct of the business of the company”, he cannot be made vicariously liable under Section 141(1) of the Act.

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27. The position under Section 141 of the Act can be summarised thus:

(i) If the accused is the Managing Director or a Joint Managing Director, it is not necessary to make an averment in the complaint that he is in charge of, and is responsible to the company, for the conduct of the business of the company. It is sufficient if an averment is made that the accused was the Managing Director or Joint Managing Director at the relevant time. This is because the prefix “Managing” to the word “Director” makes it clear that they were in charge of and are responsible to the company, for the conduct of the business of the company.

(ii) In the case of a Director or an officer of the company who signed the cheque on behalf of the company, there is no need to make a specific averment that he was in charge of and was responsible to the company, for the conduct of the business of the company or make any specific allegation about consent, connivance or negligence. The very fact that the dishonoured cheque was signed by him on behalf of the company, would give rise to responsibility under sub-section (2) of Section 141.

(iii) In the case of a Director, secretary or manager [as defined in Section 2(24) of the Companies Act] or a person referred to in clauses (e) and (f) of Section 5 of the Companies Act, an averment in the complaint that he was in charge of, and was responsible to the company, for the conduct of the business of the company is necessary to bring the case under Section 141(1) of the Act. No further averment would be necessary in the complaint, though some particulars will be desirable. They can also be made liable under Section 141(2) by making necessary averments relating to consent and connivance or negligence, in the complaint, to bring the matter under that sub-section.

(iv) Other officers of a company cannot be made liable under sub-section (1) of Section 141. Other officers of a

company can be made liable only under sub-section (2) of Section 141, by averring in the complaint their position and duties in the company and their role in regard to the issue and dishonour of the cheque, disclosing consent, connivance or negligence.”

13. Later, in Gunmala Sales (P) Ltd. v. Anu Mehta reported as (2015) 1 SCC 103, the Supreme Court summarised its conclusions as under:-

“34. We may summarise our conclusions as follows:

34.1. Once in a complaint filed under Section 138 read with Section 141 of the NI Act the basic averment is made that the Director was in charge of and responsible for the conduct of the business of the company at the relevant time when the offence was committed, the Magistrate can issue process against such Director.

34.2. If a petition is filed under Section 482 of the Code for quashing of such a complaint by the Director, the High Court may, in the facts of a particular case, on an overall reading of the complaint, refuse to quash the complaint because the complaint contains the basic averment which is sufficient to make out a case against the Director.

34.3. In the facts of a given case, on an overall reading of the complaint, the High Court may, despite the presence of the basic averment, quash the complaint because of the absence of more particulars about the role of the Director in the complaint. It may do so having come across some unimpeachable, incontrovertible evidence which is beyond suspicion or doubt or totally acceptable circumstances which may clearly indicate that the Director could not have been concerned with the issuance of cheques and asking him to stand the trial would be abuse of process of court. Despite the presence of basic averment, it may come to a conclusion that no case is

made out against the Director. Take for instance a case of a Director suffering from a terminal illness who was bedridden at the relevant time or a Director who had resigned long before issuance of cheques. In such cases, if the High Court is convinced that prosecuting such a Director is merely an arm-twisting tactics, the High Court may quash the proceedings. It bears repetition to state that to establish such case unimpeachable, incontrovertible evidence which is beyond suspicion or doubt or some totally acceptable circumstances will have to be brought to the notice of the High Court. Such cases may be few and far between but the possibility of such a case being there cannot be ruled out. In the absence of such evidence or circumstances, complaint cannot be quashed.

34.4. No restriction can be placed on the High Court's powers under Section 482 of the Code. The High Court always uses and must use this power sparingly and with great circumspection to prevent inter alia the abuse of the process of the court. There are no fixed formulae to be followed by the High Court in this regard and the exercise of this power depends upon the facts and circumstances of each case. The High Court at that stage does not conduct a mini trial or roving inquiry, but nothing prevents it from taking unimpeachable evidence or totally acceptable circumstances into account which may lead it to conclude that no trial is necessary qua a particular Director.

35. We will examine the facts of the present case in the light of the above discussion. In this case, the High Court answered the first question raised before it in favour of the respondents. The High Court held that "in the complaint except the averments that the Directors were in charge of and responsible to the Company at the relevant time, nothing has been stated as to what part was played by them and how they were responsible regarding the

finances of the Company, issuance of cheque and control over the funds of the Company”. After so observing, the High Court quashed the proceedings as against the respondents. In view of this conclusion, the High Court did not go into the second question raised before it as to whether the Director, who has resigned can be prosecuted after his resignation has been accepted by the Board of Directors of the Company. Pertinently, in the application filed by the respondents, no clear case was made out that at the material time, the Directors were not in charge of and were not responsible for the conduct of the business of the Company by referring to or producing any incontrovertible or unimpeachable evidence which is beyond suspicion or doubt or any totally acceptable circumstances. It is merely stated that Sidharth Mehta had resigned from the directorship of the Company on 30-9-2010 but no incontrovertible or unimpeachable evidence was produced before the High Court as was done in Anita Malhotra to show that he had, in fact, resigned long before the cheques in question were issued. Similar is the case with Kanhaiya Lal Mehta and Anu Mehta..”

(Emphasis added)

14. Subsequently in Standard Chartered Bank v. State of Maharashtra and Ors., reported as **(2016) 6 SCC 62**, while setting aside the order of High Court of quashing the summoning order with respect to whole-time Director and Executive Director, the Supreme Court held as follows: -

“33. Thus, considering the totality of assertions made in the complaint and also taking note of the averments put forth relating to the Respondents 2 and 3 herein that they are whole-time Director and Executive Director and they were in charge of day-to-day affairs of the Company, we are of the considered opinion that the High Court has fallen into grave error by coming to the conclusion that

there are no specific averments in the complaint for issuance of summons against the said accused persons. We unhesitatingly hold so as the asseverations made in the complaint meet the test laid down in Gunmala Sales (P) Ltd.”

(emphasis added)

15. Recently, in A.R. Radha Krishna (supra), the Supreme Court held as follows: -

“7. Having heard learned counsel for the parties and carefully scrutinizing the record, we are of the considered opinion that the High Court was not justified in allowing the quashing petitions by invoking its power under S.482, Cr.P.C. In a case pertaining to an offence under S. 138 and S. 141 of the Act, the law requires that the complaint must contain a specific averment that the Director was in charge of, and responsible for, the conduct of the company’s business at the time when the offence was committed. The High Court, in deciding a quashing petition under S. 482, Cr.P.C., must consider whether the averment made in the complaint is sufficient or if some unimpeachable evidence has been brought on record which leads to the conclusion that the Director could never have been in charge of and responsible for the conduct of the business of the company at the relevant time. While the role of a Director in a company is ultimately a question of fact, and no fixed formula can be fixed for the same, the High Court must exercise its power under S. 482, Cr.P.C. when it is convinced, from the material on record, that allowing the proceedings to continue would be an abuse of process of the Court.”

16. In the year 2012, the Reserve Bank of India issued a Master Circular no. RBI/2012-13/43 dated 02.07.2012 on “Willful Defaulters” with respect to reporting of names of Directors and the position regarding independent and nominee Directors. The said circular came to

be challenged before a Division Bench of the Gujarat High Court in the case of Ionic Metalliks v. Union of India reported as **2014 SCC OnLine Guj 10066**. The court while upholding the legality and validity of the circular, noted the categories of Directors under the Companies Act and the “Listing Agreement” prescribed by Securities and Exchange Board of India as under:-

"A. Classification under the Companies Act

Categories of Directors

The Companies Act refers to the following two specific categories of Directors:

- 1. Managing Directors; and*
- 2. Whole-time Directors.*

A Managing Director is a Director who has substantial powers of management of the affairs of the company subject to the superintendence, control and direction of the Board in question. A Whole-time Director includes a Director who is in the whole- time employment of the company, devotes his whole-time of working hours to the company in question and has a significant personal interest in the company as his source of income.

Every public company and private company, which is a subsidiary of a public company, having a share capital of more than Five Crore rupees (Rs. 5,00,00,000/-) must have a Managing or Whole-time Director or a Manager.

Further classification of Directors

Based on the circumstances surrounding their appointment, the Companies Act recognizes the following further types of Directors:

- 1. First Directors: Subject to any regulations in the Articles of a company, the subscribers to the Memorandum of Association, or the company's charter or*

constitution ("Memorandum"), shall be deemed to be the Directors of the company, until such time when Directors are duly appointed in the annual general meeting ("AGM").

2. Casual vacancies: Where a Director appointed at the AGM vacates office before his or her term of office expires in the normal course, the resulting vacancy may, subject to the Articles, be filled by the Board. Such person so appointed shall hold office up to the time which the Director who vacated office would have held office if he or she had not so vacated such office.

3. Additional Directors: If the Articles specifically so provide or enable, the Board has the discretion, where it feels it necessary and expedient, to appoint Additional Directors who will hold office until the next AGM. However, the number of Directors and Additional Directors together shall not exceed the maximum strength fixed in the Articles for the Board.

4. Alternate Director: If so authorized by the Articles or by a resolution passed by the company in general meeting, the Board may appoint an Alternate Director to act for a Director ("Original Director"), who is absent for whatever reason for a minimum period of three months from the State in which the meetings of the Board are ordinarily held. Such Alternate Director will hold office until such period that the Original Director would have held his or her office. However, any provision for automatic re-appointment of retiring Directors applies to the Original Director and not to the Alternate Director.

5. 'Shadow' Director: A person, who is not appointed to the Board, but on whose directions the Board is accustomed to act, is liable as a Director of the company, unless he or she is giving advice in his or her professional capacity. Thus, such a 'shadow' Director may be treated as an 'officer in default' under the Companies Act.

6. De facto Director: Where a person who is not actually appointed as a Director, but acts as a Director and is

held out by the company as such, such person is considered as a de facto Director. Unlike a 'shadow' Director, a de facto Director purports to act, and is seen to the outside world as acting, as a Director of the company. Such a de facto Director is liable as a Director under the Companies Act.

7. Rotational Directors: At least two-thirds of the Directors of a public company or of a private company subsidiary of a public company have to retire by rotation and the term "rotational Director" refers to such Directors who have to retire (and may, subject to the Articles, be eligible for re-appointment) at the end of his or her tenure.

8. Nominee Directors: They can be appointed by certain shareholders, third parties through contracts, lending public financial institutions or banks, or by the Central Government in case of oppression or mismanagement. The extent of a nominee Director's rights and the scope of supervision by the shareholders, is contained in the contract that enables such appointments, or (as appropriate) the relevant statutes applicable to such public financial institution or bank. However, nominee Directors must be particularly careful not to act only in the interests of their nominators, but must act in the best interests of the company and its shareholders as a whole. The fixing of liabilities on nominee Directors in India does not turn on the circumstances of their appointment or, indeed, who nominated them as Directors. Chapter 4 and Chapter 5 that follow set out certain duties and liabilities that apply to, or can be affixed on, Directors in general. Whether nominee Directors are required by law to discharge such duties or bear such liabilities will depend on the application of the legal provisions in question, the fiduciary duties involved and whether such nominee Director is to be regarded as being in control or in charge of the company and its activities. This determination ultimately turns on the specific facts and circumstances involved in each case.

B. Classification under the Listing Agreement The Securities Contracts (Regulation) Act, 1956, read with the rules and regulations made thereunder, requires every company desirous of listing its shares on a recognized Indian stock exchange, to execute a listing agreement ("Agreement") with such Indian stock exchange. This Agreement is in a standard format (prescribed by the Securities Exchange Board of India ("SEBI")), as amended by SEBI from time to time. The Agreement provides for the following further categories of Directors:

Categories under the Listing Agreement

- 1. Executive Director;*
- 2. Non-executive Director; and*
- 3. Independent Director.*

Executive and non-executive Directors

An Executive Director can be either a Whole-time Director of the company (i.e, one who devotes his whole time of working hours to the company and has a significant personal interest in the company as his source of income), or a Managing Director (i.e, one who is employed by the company as such and has substantial powers of management over the affairs of the company subject to the superintendence, direction and control of the Board). In contrast, a non-executive Director is a Director who is neither a Whole-time Director nor a Managing Director. Clause 49 of the Agreement prescribes that the Board shall have an optimum combination of executive and non- executive Directors, with not less than fifty percent (50%) of the Board comprising non-executive Directors. Where the Chairman of the Board is a non-executive Director, at least one-third of the Board should comprise independent Directors and in case he is an executive Director, at least half of the Board should comprise independent Directors. Where the non-executive Chairman is a promoter of the company or is related to any promoter or person

occupying management positions at the Board level or at one level below the Board, at least one-half of the Board of the company shall consist of independent Directors.

Independent Directors *The Agreement defines an "Independent Director" as a non- executive Director of the company who:*

a. apart from receiving Director's remuneration, does not have material pecuniary relationships or transactions with the company, its promoters, its Directors, its senior management, or its holding company, its subsidiaries, and associates which may affect independence of the Director;

b. is not related to promoters or persons occupying management positions at the board level or at one level below the board;

c. has not been an executive of the company in the immediately preceding three (3) financial years;

d. is not a partner or an executive or was not a partner or an executive during the preceding three (3) years, of any of the following:

i. the statutory audit firm or the internal audit firm that is associated with the company, and

ii. the legal firms and consulting firms that have a material association with the company;

e. is not a material supplier, service provider or customer or a lessor or lessee of the company, which may affect the independence of the Director; or

f. he is not a substantial shareholder of the company, i.e, owning two percent (2%) or more of the block of voting shares; and

g. he is not less than twenty-one (21) years of age.

Nominee directors appointed by an institution that has invested in, or lent money to, the company are also treated as independent Directors."

17. Further, in the present case, the petitioner has not placed any material on record to show that he had resigned from the accused company and that his resignation had been accepted by the Board of Directors of the Company. Even going by the pleadings on record, the date of petitioner's resignation is post issuance of the cheques in question and their dishonor.

18. The petitioner is an Executive Director in the category of Promoter. The complaint carries an averment that the petitioner along with others was looking after the day to day affairs of the company, being in-charge thereof was jointly and severally liable for the acts and deeds of the accused company and also responsible for not maintaining sufficient balance in the account for encashment of the cheques in question. Thus, in view of K.K. Ahuja (Supra), no further averment was necessary to be made.

19. The reliance placed by the learned counsel for the petitioner on the decisions referred are of no help to him. In Mannalal Chamaria & Anr. (Supra), the complainant filed a complaint against one Raj Kumar Chamaria, the Chairman of the concern. On his demise, the complainant impleaded the petitioners as accused. The Supreme Court while quashing the complaint observed that there were no specific or general allegations against the accused persons. In J.N. Bhatia (Supra), although the Court rejected the submission that at the time of issuance and dishonor of the cheque, the accused had initiated the process to resign from the company as its Director but quashed the complaint on the ground that no role was attributed to the accused of his being responsible to the accused company for the conduct of its business and day to day affairs. In Shashi Adlakha

(Supra), the Court reiterated the principles for exercising the jurisdiction under Section 482 Cr.P.C., however, dismissed the petition holding that the no material of sterling and impeccable quality was placed on record to quash the complaint.

20. This Court is constrained to note that in the pleadings as well as oral submissions, it was stated that the petitioner was a non-Executive Director which was contrary to records. In para 5 of the petition, reiterated in para 6 as well, it was stated as under:

“5. That the present petitioner moved an application for deletion of his name from the array of the parties and/or for recalling of summoning order. In the said application, it was interalia pleaded that the petitioner was merely one of the Directors of accused No.7. It was also submitted that the petitioner joined the accused no.7 on 20.9.2011 and he had resigned on 30.11.2013 from the said company. It was specifically pleaded that the petitioner was never incharge of affairs of 'company and was never responsible to the company for conduct of the business and was merely a non executive Director.”

21. Also, the petition is not only highly belated, but also filed only with a view to delay the trial. In view of the aforesaid discussions and especially the observation of the Supreme Court in Gunmala Sales (Supra), where in similar circumstances, the petition was dismissed for not placing on record any material of impeccable nature to prove that the accused had resigned, the present petition is dismissed along with the pending application with a cost of Rs.25,000/- to be paid to “PM Cares” Relief Fund in Account no. 2121PM20202 maintained with the SBI, New Delhi Main Branch within a period of two weeks from the passing of this judgment.

22. The present petition is disposed of along with the pending application.

23. A copy of this judgment be communicated to the trial court.

(MANOJ KUMAR OHRI)
JUDGE

MAY 04, 2020

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