

IN THE HIGH COURT OF ORISSA AT CUTTACK

S.A. No.176 of 1990

In the matter of an appeal under section 100 of the Code of Civil Procedure assailing the judgment and decree dated 24.03.1990 and 07.04.1990 respectively passed by the learned Sub-Ordinate Judge, Bhubaneswar in Title Appeal No.31 of 1986 confirming the judgment and decree dated 31.10.1986 and 10.11.1986 respectively passed by the learned Munsif, Bhubaneswar in O.S. No.103 of 1983-I.

Dambarudhar Jena (Since Dead) ***Appellant***
through his LRs

-versus-

Kamala Devi & Others ***Respondents***
Appeared in this case by Hybrid Arrangement
(Virtual/Physical Mode):

For Appellant - Mr.B.Tripathy

For Respondents - Mr.R.K.Mohanty

CORAM:
MR. JUSTICE D.DASH

Date of Hearing : 28.10.2021 : Date of Judgment : 03.01.2022

D. Dash, J. The Appellant, namely, Dambarudhar Jena (since dead) has filed this Appeal under Section 100 Civil Procedure Code (for short, 'the Code'), has assailed the judgment and decree dated 24.03.1990 and 07.04.1990 respectively passed by the learned Sub-Ordinate Judge, Bhubaneswar in Title Appeal No.31 of 1986. Said sole Appellant having died during pendency of this Appeal, his legal representatives having been substituted and they are now pursuing the Appeal.

By the said judgment and decree, while dismissing the First Appeal filed by the present Appellant-Defendant No.1, the First Appellate Court has confirmed the judgment and decree dated 31.10.1986 and 10.11.1986 respectively passed by the learned Munsif,

Bhubaneswar in O.S. No.103 of 1983-I in declaring the title of the Respondent No.1-Plaintiff over the suit land and directing the Appellant-Defendant No.1 to give delivery of vacant possession of the same to the Plaintiff.

2. For the sake of convenience, in order to avoid confusion and bring in clarity, the parties hereinafter have been referred to, as they have been arraigned in the Suit.

3. The Plaintiffs' case, in short, is that the land under sabik plot no.242 appertaining to sabik khata no.40 of Mouza-Berana covering an area of Ac.1.034 decimals stood recorded in the name of Dinabandhu Pradhan. Upon his death, his two sons namely, Uchhaba and Krupasindhu succeeded to the said property. Uchhaba died leaving behind his widow Naba Bewa (Defendant No.14) and two sons Mahendra Pradhan (Defendant No.13) and Baikunthanath Pradhan, who is dead.

Krupasindhu died leaving behind his widow Gayasa Bewa since dead.

It is stated that in Land Acquisition Case No.1/53-54, the Government of Orissa acquired Ac.0.300 decimals of land from the said plot from its western side for the purpose of construction of Cuttack-Puri road, which covers Ac.0.232 decimals out of the said acquired land of Ac.0.300 decimals. From out of the balance area of Ac.0.300 decimals, from east and extreme south of the said plots, the land was sold by the heirs of Dinabandhu to one Jayakrushna Mangaraja Mohapatra under registered sale deed dated 01.12.1951 which has been mutated in his name on 05.03.1953. When said Jayakrushna was in possession of his purchased land, he sold the same

under registered sale deed dated 16.01.1957 to the Plaintiff and delivered possession of the same to her. It is stated that the Plaintiff having purchased the land, filled it up with sand and subsequently put compound wall all around as per the demarcation given by her vendor. The Plaintiff at that time did not measure the land and she possessed the same as had been so identified by her vendor. It is stated that prior to the purchase by the Plaintiff, the balance area of Ac.0.500 decimals that was the left out land after sale to Jayakrushna under sabik plot no.242 was also sold by the heirs of Dinabandhnu to Defendants 15 and 16 in half and half under registered sale deed dated 19.12.1956. These two Defendants then possessed the portion running from east-west touching the Cuttack-Puri road on the west of their land. It is stated that the possession of the land by the Plaintiff and Defendants 15 and 16 are a well defined in the locality. The extreme southern Ac.0.300 decimals touching the northern boundary of Mouza-Berana was in possession by the Plaintiff; on the middle Ac.0.250 decimals was possessed by Defendant No.15 and all the above lands of Plaintiff and Defendants 15 and 16 are on one line adjoining the eastern boundary wall of Cuttack-Puri road.

In course of time, the importance of the locality grew. So, the husband of the Plaintiff purchased another piece of land in Mouza-Jharpada on 04.10.1974 under plot no.16 appertaining to hal khata no.414 measuring Ac.0.087 decimals towards east adjoining to south of the sabik plot no.242 to make it a compact area. The said land adjoins boundary of Mouza-Jharapada and the southern boundary of Mouza-Berana. The husband of the Plaintiff made a separate compound on the west of it as the southern and eastern sides of land were demarcated by the adjacent land owners beyond their respective compound walls. The

Plaintiff states that out of her purchased land from plot no.242, she sold half portion i.e., Ac.0.150 decimals from north to Defendant No.17 (Santi Devi) and delivered possession of the same. After such purchase, Santi, by constructing a house there, remained in possession of the same. The husband of the Plaintiff being a Government servant was moving out of Bhubaneswar to different stations and for that he had requested Santi Devi to look after her property and accordingly, Santi Devi, putting one gate on western compound wall of the Plaintiff standing on plot no.242 was taking care of the same. It is stated that the possession of the land by the Plaintiff was open, uninterrupted, peaceful and as of right to the knowledge of all concerned right from the time of her purchase till 13.07.1982 when Defendant No.1 suddenly broke the western side compound wall of the Plaintiff's husband's land under plot no.16 of Mouza-Jharapada. It is stated that Defendant No.1 purchased a plot of land measuring Ac.0.043 decimals appertaining to hal plot no.16/2931 under khata no.119 in Mouza-Jharapada adjoining the northern boundary of that Mouza-Jharapada. The said land was surrounded by the suit land of the Plaintiff on the north and land of the husband of the Plaintiff on the east as also the land of one Satyabrata Mishra on the west besides the lands of others owners on south. The Defendant No.1, finding no other way to get approach road to Cuttack-Puri road on west from his purchased land, requested the Plaintiff's husband to sell a portion of land in sabik plot no.242 on the west of his hal plot no.16/2931, which was not agreed to. The Defendant No.1 then being aggressive at any cost, in order to create a passage to the main road, mischievously purchased land measuring Ac.0.088 decimals from hal plot no.172 under khata no.82 from Defendant Nos.4 and 6 to 11 under seven sale deeds spanning from 02.06.1982 to 28.06.1982,

although those Defendants had no manner of right, title and interest of possession over the said plot no.172, which in fact is a fictitious plot in the record of right of 1962 settlement although in reality, it is part of plot no.173. The vendees had not given any possession of said ghost plot no.172 to Defendant No.1 as it was not in existence. Further being emboldened by such fake sale deeds, Defendant No.1 broke the eastern boundary wall of plot no.16 of the Plaintiff's husband and thereafter the Defendants 1 to 3 along with anti socials demolished the stone wall of sabik plot no.242 on the southern and western part from time to time and trespassed over the land in creating mischief. Therefore, a proceeding under section 144 Cr.P.C. and a criminal case were initiated. The proceeding under section 144 Cr.P.C., however, stood dropped due to efflux of time. The Defendant No.1 then constructed permanent building on Plaintiff's hal plot of land adjoining that ghost plot no.172 in a hot haste to create the evidence of possession. The Municipal Authority then filed a case against Defendant No.1 for violation of building plan and in order to escape from that criminal case, the Defendant No.1 purchased an area of Ac.0.024 decimals out of Ac.0.175 decimals from another fake plot no.174/607 from Mahendra Pradhan (Defendant No.13), who had also no manner of right, title, interest and possession over the same. It is further stated that said hal plot no.607 is a part of sabik plot no.242 and there is no plot such as plot no.174/607 in the map. The Plaintiff states that the non-existent ghost plot no.172/607 and 172 is quite apparent if one visits the field and looks at the settlement map of the year 1962. On super imposition of the map of sabik and hal maps; as to the sabik plot no.242 and hal plot nos.172 and 607 keeping sabik plot no.242 as the base line. It would be found that hal plot no.607 falls outside Mouza-Berana. The

settlement authorities, instead of rectifying the error in 1962 settlement, have created that extra land which falls beyond Mouza-Berana under a separate ghost plot bearing no.172 and shown the same inside sabik plot no.242 and have accordingly increased the area of hal plot no.607 showing that increased area also to be within Mouza-Berana and thereby have created a fictitious plot which is non-existent in the field. By doing so, the area of sabik plot no.242 has been increased by Ac.0.230 decimals in 1962 settlement resulting in creation of ghost plot without any reason and reference to the actual possession of the land by the respective owners and moreover the name of Mahendra Pradhan (Defendant No.13) recorded wrongly in place of Srimanta Kumar Ray (Defendant No.15). In the running settlement which took place subsequently, the Authorities after realizing the mistake committed during the 1962 settlement have corrected the same and since Defendant No.1 is claiming ownership over the suit land of the Plaintiff situated at Mouza-Berana adjoining the south boundary of villager Berana, the Plaintiff has come to file the suit claiming the relief of declaration of her right, title, confirmation of possession and alternatively, for recovery of possession.

4. The Defendant No.1, contesting the suit, stated that the Plaintiff out of the total area of Ac.0.300 decimals of land purchased by her on the extreme east of sabik plot no.242 corresponding to hal plot no.173, has sold away the same under different sale deeds to Defendant Nos.15 to 17. His specific case is that though the Plaintiff purchased Ac.0.300 decimals of land, she in fact sold Ac.0.030 decimals of land to Defendants 15 and 17. The Defendant No.1 has denied the fact that hal plot no.172 and 174/607 are ghost plots. It is stated that he purchased the lands under these plots from Defendant Nos.4 to 13 and after such

purchase, his vendor had delivered possession of the said land to him and he has been in possession of the same.

5. The Trial Court, on the rival pleading, having framed seven issues, has answered the crucial issues, i.e. issue nos.(5) and (6) concerning the competing claim of title and possession of Plaintiff and Defendant No.1 over the suit land. On examination of the evidence and their evaluation, the Trial Court has answered those in favour of the Plaintiff. This has led to decree the suit granting the reliefs to the Plaintiffs, as prayed for.

The First Appellate court, addressing the contentions raised before it, has undertaken a strenuous exercise of examination of evidence on record and their analysis from different angles in the backdrop of the rival case projected by the parties.

Finally, the First Appellate Court upon independently arrived at the conclusion that the Plaintiff has established her claim over the suit land. In that view of the matter, the Appeal having been dismissed, the judgment and decree passed by the Trial Court have been confirmed.

6. The Defendant No.1 having suffered from the judgments and decrees passed by the original court as well as the First Appellate Court, has filed the present Appeal.

This Appeal has been admitted on the following substantial questions of law:-

“I. Whether the learned Courts below committed serious error of records in holding that the description of lands given under Ext-1, 2, 5 & 6 would indicate that the land sold to Jayakrushna Mangaraj Mohapatra was to the extreme south of the boundary of mouza-Berana even though a bare comparison of the boundaries of the land sold under the above sale deeds (Ext.1, 2, 5 & 6) would shows that the northern and western boundary of the deed Ext.2 (Ac.0.300

dec.) purchased by Jayakrushna Mangaraj Mohapatra were clearly erroneous, though the strip of land from middle of plot no.242 was to be acquired under Ext-21 for the construction of the road linking the N.H. Road No.5 to Bhubaneswar-Balianta Road and thus the description of the boundary of the land sold under Ext.5 and 6 would clearly show that the land covered under Ext.2 and 21 of plot no.242 was from the eastern portion of sabik plot no.242 but to the northern portion of the land purchased by Srimanta Kumar Ray and Apti Chandra Das (deft. No.15 and 16) under Ext.6 and 5. This serious error of record has vitiated the judgment and decree passed by the Courts below being based really on the desertion of facts set out in para 2 of the plaint that the Ac.0.300 decimals purchased by Jayakrushna Mangaraj Mohapatra from his and successor of Uchhab Pradhan and Krupasindhu Pradhan was from "east and extreme south of the said plot" his sabik plot no.242 the falsity of which averments can be seen from a bare perusal of recitals made in Ext.2;

II. Whether the learned courts below have committed serious error of records in referring Ext.2 while considering the title of the plaintiff under Ext.1, even though from the bare comparison Ext.2 and it would be clear that the land sold under Ext.2 is not the suit land, in as much as the northern and southern boundary of Ext.1 are patently erroneous;

III. Whether the learned trial court has adopted an erroneous legal approach in not framing an issue as to whether the final Record of Rights prepared during the year 1962 Settlement is erroneous and without framing any issue whether the findings of the court below that plot no.172 and 607 (174/607) are fictitious and ghost plots, are based on material and therefore the findings are perverse; and

IV. Whether the learned trial court committed serious error of law and procedure in rejecting the petition for appointment of survey knowing Commissioner filed by the defet. No.1 (appellant) even though the dispute as involved in this suit is the location of the lands which are the subject matter of the same as sale deeds (Ext.2, 6, 5, 1 & E, F, G, H, J, K, L, M & N) can only be ascertained and adjudicated by deputing a survey knowing commissioner by carrying out measurement

in sabik plot no.242 (hal plots 172, 173, 174, 607 & 608) and the surrounding plots.”

7. All these above formulated substantial questions of law concern with factual settings of the rival case and thus the evidence has to be gone into to find out the answer to those questions as if the lower Appellate Court has recorded the findings as aforesaid by appreciating the evidence on record in a perverse manner.

8. At this stage, before proceeding to find out the answers to the above substantial questions of law; few developments, which have taken place, are required to be noted.

In one sitting of hearing of this Appeal, after going through the rival case of the parties, this Court had formed an opinion that ascertainment of the topography of the suit land by a Survey Knowing Commissioner would stand as of good assistance in answering the substantial questions of law in finding out the answers. Then the learned counsel for the Plaintiff and Defendant No.1 had also accepted the said view and accordingly, they submitted their consent to it and placed the points of reference from their respective stand point to be made to the Commissioner. This Court then had directed the Trial Court to depute a Civil Court Commissioner to ascertain the topography of the suit land keeping in view the points of reference given by the learned counsels for the Plaintiff and Defendant No.1 in answering those. The report of the Civil Court Commissioner dated 12.05.2016 being received by the Trial Court, the same has been placed on record and taken to the file.

9. From the side of the Defendant No.1 (Appellant), an application under Order 41 Rule 27 of the Code has been filed for accepting the certified copy of order dated 07.07.2018 and 20.07.2018 passed in

Execution Case No.109 of 1999 as additional evidence, which has been numbered as I.A. No.64 of 2019. It is stated that in a similar circumstance, another Commissioner had been deputed to demarcate and report regarding the existence of plot no.172 along with other plots in Execution Case No.109 of 1999 arising out of R.F.A. No.120 of 2018 in the locality where the suit land has been situated and in that report, existence of plot no.172 has been reported. So, it is said that this report submitted by the Commissioner pursuant to the direction of this Court is faulty. It is, therefore stated that the order passed upon receipt of that Commissioner's report in Execution Case No.109 of 1999 be admitted in evidence. The prayer has been objected to by the Plaintiff. It is stated that as ascertained from the demarcation made by the said Amin Commissioner in the map attached to the interim application, that land is situated on the other side of the road and is in no way connected to the present suit land and, therefore, the same is wholly irrelevant for the purpose.

It may be stated that the report of the Civil Court Commissioner was called for by this Court; keeping in view the rival case of the parties and as agreed upon by the learned counsels for the Plaintiff as well as Defendant No.1. It is with a view to just have a look at the topography of the suit land so that in answering the substantial questions of law there would be proper appreciation of the factual settings of the case and the obtained evidence. That endeavour was not to collect evidence for adjudication of the dispute but to provide the space within which the matter would stand examined and as an assistance as such to that.

Learned counsel for the parties had, therefore, been asked to provide the points of reference looking at the case of respective parties

and those, as so given had been sent to the Civil Court Commissioner for being met and visited in undertaking the exercise. In view of the above, the report of the Civil Court Commissioner which has come into being much later to the report sought for vide order dated 20.07.2015, has no relevance and it has no concern with the present suit. Accordingly, the prayer for adduction of the documents as indicated in the application filed by Defendant No.1 does not merit acceptance and is rejected.

10. Mr. B. Tripathy, learned counsel for the Appellant-Defendant No.1 and Mr. R.K. Mohanty, learned counsel for the Respondent No.1-Plaintiff at length. Both the learned counsels have taken me through rivals pleadings and evidence in detail in projecting as to establishment of their respective case.

I have also carefully read the judgments of the Courts below.

11. The formulated substantial questions of law as stated in para-6 above being carefully read, keeping the rival case of the parties in the background; it is seen that the First Appellate Court has answered all those at paragraphs-9 to 16 of its judgment in recording the conclusions at paragraph-17.

12. Indisputedly, the sabik plot no.242 under khata no.40 had the land of an area Ac.1.034 decimals which was standing in the name of Dinabandhu Pradhan of Mouza-Berana. The fact pleaded by the Plaintiff is that despite acquisition of an area Ac.0.300 decimals by the Govt. of Odisha for the purpose of Cuttack-Puri road in LA Case No. 1/53-54 actually the land to the extent of Ac.0.234 decimals has been utilized and thus in plot no. 242 there remained balance land of

Ac.0.800 decimals. The suit property was succeeded by Naba and Gayasa and after the death of Dinabandhu, Krupasidhu and Uchhaba held the property as owners. The sale deed Ext.2 is dated 1.12.1951 which has been executed by Naba and Gayasa in favour of Jayakrushna Mangaraja Mahapatra. It was involving purchase of Ac.0.300 decimals from that plot no.242 adjacent to the east of Cuttack-Puri road to the adjacent of north of Jharpada village boundary. So it is evident that land of an area of Ac.0.500 decimals remained in that plot no.242. Shrimanta Kumar Ray and Apada Chandra Das, the Defendant Nos. 15 and 16 respectively had purchased Ac.0.250 decimals each under two registered sale deeds vide Exts. 5 and 6 which are dated 19.2.1956. These Exts. 5 and 6 being taken into account, no land under plot no. 242 remains in the hands of the original owners who have come to succeed as heirs of Dinabandhu. Exts. 5 and 6 reveals that Gayas, Mahendra and Naba are the executants. From all these it is clear that vide Ext. 2 dated 1.12.1951 land of Ac.0.800 decimals from that plot no. 242 had been sold to Jayakrushna Mangaraj Mahapatra and thus the total area of plot no.242 stood exhausted.

Jayakrushna having purchased the land had mutated in his name to the extent of Ac.0.300 decimals. The certified copies of the orders of the mutation proceeding dated 05.03.1953 marked Ext.4 stand as evidence in support. As against this clear position, the record of 1962 settlement shows an area of Ac.4.430 decimals under plot no. 173 in the name of Jayakrushna Mangaraj Mahapatra who during the not final stage has sold the land to the Plaintiff by Ext. 1. This was to an extent of Ac.0.430 decimals in this sale deed mentioning the sabik plot as well as not final plot no. 173. This sale to the extent of Ac.0.430 decimals is not valid and its validity would stand to the extent of Ac.0.300 decimals

only as that was the available are of land with Jayakrushna and was in his possession. Be that as it may, the land purchased by the Plaintiff from Jayakrushna is situated to the adjacent north of the boundary of Jharpada village as indicated in the registered sale deed Ext. 1. The Plaintiff has sold away Ac.0.150 decimals out of the total area of Ac.0.300 decimals from the northern side to Defendant No.17 under Ext. 10 which is not disputed by the Defendant No.1. The stand of Defendant No.1 is that the land of Plaintiff is situated to the north of Defendant No.17 and southern portion of the land of Defendant No.17 is plot no. 172 of 1962 settlement which belongs to him by virtue of his purchase from Defendant Nos. 4 to 12 vide Exts. E to M and the eastern portion of plot No. 172 and 173 as noted as plot no.607 in 1962 settlement from its record owner Mahendra Pradhan, Defendant No.13 under Ext. N. The purchase of three plots is disputed by the Plaintiff in saying that those are not within the sabaik plot no. 242 and the Defendant No.1 had no right, title, interest and possession over the same.

In evidence the Defendant No.1 appears to have taken a plea contrary what has been stated in the written statement. It is deposed that the Plaintiff has purchased Ac.0.300 decimals but has sold Ac.0.150 decimals to Santi Devi, Defendant no.17 and relinquished interest over Ac.0.093 decimals in plot no. 173 in favour of Srimanta Kumar Ray, Defendant No. 15 and further relinquished interest over Ac.0.085 decimals in that plot in favour of Apada Ch. Das. This oral evidence too does not find support from any document. This evidence falsify the recital from Exts. 5 and 6 which show that the Defendants purchased their lands from plot no. 242 from the original recorded owner.

13. By analyzing the evidence at great length on record, the First Appellate Court appears to have rightly stated that the Record of Right, 1962 settlement sabik plot no.242 corresponds to Hal plot no.242 measuring Ac.0.100 decimals in the name of Defendant Nos. 6 to 12 (Ext. 19); (ii) plot no. 174 measuring Ac.0.175 decimals and plot no. 174/608 Ac.0.160 decimals (Ext. 17); (iii) plot nos. 173, Ac.0.430 decimals in the name of Jayakrushna (Ext.3); (iv) plot no. 174 measuring Ac.0.165 decimals (Ext.19), total area come into Ac.1.030 decimals. Therefore, it has been said that Ac.0.230 decimals being acquired from the right of this plot no.242, that area being added, the area of plot no.242 comes to Ac.1.264 decimals when admittedly that plot is measuring Ac.1.034 decimals. From this very rightly the conclusion has been drawn that the recording of the sabik plot no.242 corresponding to Hal settlement of 1962 is wrong. This Court giving further anxious consideration finds no such justification to take any different view other than the above or even infer any other circumstance or situation to the contrary. This provides the support to the case of the Plaintiff that for such wrong recording of annexed area the ghost plot has been carved out and those are plot no.172 and 607 did never nor now do which in reality exist in the field and the Settlement Authority has very rightly rectified the said mistake of 1962 settlement. For this further support has been derived from Ext.24 which is an order in Objection Case No. 2295. It reveals that the Assistant Settlement Officer after comparison of map of sabik settlement hal settlement in respect of the suit plots, has also ascertained the creation of the ghost plots.

At this stage, only for cross-checking the report of the Civil Court Commissioner dated 12.5.1016 need be glanced at. The report runs as under:-

“(i) the land under khata no.40, plot no. 242 in Mouza-Berana measuring Ac.0.980 decimals; (ii) 1962 settlement record to Mouza-Berana under khata no.40, hal plot No.242 corresponds to plot no. 173, 173(P); 174(P); 174/607 and 608 (P); (iii) 1962 settlement record plot no.172 and 173, 174, 174/607 and 608 measuring Ac.1.354 decimals, sabaik plot no.242 to the west of sabik plot no.242 runs Cuttack-Puri road and Ac.0.280 decimals is actually used under Cuttack-Puri road. The settlement report is correct that hal plot no.172 is not existence in the field and only plot no.607 (P) measuring ac.0.083 decimals (Hal plot No.703) is standing on the north.”

The above thus helps the Court in saying that the conclusions of the lower Appellate Court as aforesaid fully stand to the tests.

It is thus seen that Ac.0.280 decimals of land from sabik plot no.242 towards west, has been taken by the State for Cuttack-Puri road. The Defendant No.1 has purchased Ac.0.300 decimals but is in possession of Ac.0.226 decimals. Plot No. 172 as shown in 1962 settlement record is non-existent. Relay map being prepared by comparing 1962 settlement and 1967-77 (1911-12); Hal plot no. 172 does not exist. From the above, the conclusion appears to be well within the scope of acceptance and those further lead to conclude that heirs of Dinabandhu sold away the entire the entire balance area in sabak plot no. 242 to Jayakrushna and Defendant Nos. 15 and 16 and the recording of the name of Defendant No.13 in respect of Hal plot 174/607 being from out of a port of sabik plot no.242 is of no value to clothe Defendant no.13 with any right whatsoever. In this situation, it is seen that none of these Defendants had also not taken any step to

correct the noting of the last settlement of the year 1988 to which the presumption of correctness also stands attached. Thus, the Defendant Nos. 6 to 12 and 13 since had no manner right, title, interest and possession over the land which is said to have been sold to the Defendant No.1, these plots i.e. 172 and 173 being the ghost plots as non-existent in the field standing rectified in the settlement of the year 1988.

In that view of the matter, the Defendant when claims his title in respect of these two plots being upon Ext. E to M and N, the same is bound to be negated.

In view of all the aforesaid, this Court finds the answers to the substantial questions of law as standing in favour of the Plaintiff in allowing the reliefs as claimed.

14. In the result, the Appeal stands dismissed. The Judgment and decree passed by the Courts below stand confirmed. No order as to cost.

**(D. Dash),
Judge.**

Basu