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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-23189-2021
Date of decision: 15.02.2024

SATYA PARKASH

...Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. K. L. Arora, Advocate
for the petitioner.

Ms. Dimple Jain, DAG, Haryana.

Mr. Jagbir Singh, Advocate
for respondents No.2 to 4.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of an appropriate writ, order or direction especially a writ in the nature of *certiorari* for quashing the impugned orders dated 12.02.2018 (Annexure P-12), 28.03.2018 (Annexure P-13) and 16.05.2018 (Annexure P-14) and further to direct the respondents to release the arrears of salary and other consequential benefits to the petitioner and also to give him revised pension and pensionary benefits along with interest @ 18% per annum.

2. The brief facts of the present case are that the petitioner was working as a Driver in respondent No.3-Board i.e. Haryana Khadi and Village

Industries Board, Panchkula, Haryana having an unblemished record of his entire service career of 32 years. The Head Office of respondent No.3 is situated in Sector-2, Panchkula. In the year 2017, the trial against Dera Sacha Sauda Chief-Gurmeet Ram Rahim Singh had culminated and the learned trial Court which is also situated in Panchkula was scheduled to pronounce the judgment on 25.08.2017 at 2:30 P.M. The aforesaid case was a very sensitive case relating to law and order problem which might arise because of accumulation of large number of his followers in the city of Panchkula and around. The followers had been gathering prior to the date fixed for pronouncement and at various places of Panchkula even the streets were choked. The State Government in order to prevent any untoward incident had declared 24.08.2017 and 25.08.2017 as holidays and various other provisions were also invoked to prevent any adverse law and order problem. These two days i.e. 24.08.2017 and 25.08.2017 were very crucial and sensitive days, wherein even the life and property of the residents of Panchkula was also under threat. Sensing the aforesaid instability, various restrictions were imposed by the administration in this regard.

3. The petitioner was a Driver of an official car of the respondent-Board and he had parked the said official car in the Head Office itself prior to 24.08.2017 in the porch, which is otherwise an open space. Thereafter, the petitioner went to his house, which is at Baltana near Zirakpur and in view of the declaration of holidays on 24.08.2017 and 25.08.2017, he was not supposed to go to office in this regard as a preventive measure as well. As per the petitioner, he received a call from Roshan Lal, Private Secretary to respondent No.4-Chief Executive on 25.08.2017 at 6:11 P.M. to go to the office because the

official car which was parked in the Head Office was damaged by the mob since after the pronouncement of the judgement in the aforesaid case, lot of riots and arson had taken place in the city of Panchkula including Sector-2 Panchkula where the Head Office is situated. In the aforesaid unfortunate situation, there was a lot of damage caused to the life and property and as per the petitioner, even 30 lives were also lost and the damage to the property in the city of Panchkula was also immense. As per the petitioner, when he received the call from the Private Secretary to respondent number 4, namely, Roshan Lal, wherein he was strictly directed to go to the office because of the damage of the official car by the mob, he had rather no option but to immediately go to the office despite extreme adverse law and order problem in the city of Panchkula and putting his life at stake, he went to the office by scaling walls and when he reached the office while going through the mob and rioters, he found that the official car was in a damaged condition and as per the petitioner, at that point of time, the aforesaid violence was still in continuation.

4. After about few days i.e. on 12.09.2017, a charge-sheet was issued to the petitioner vide Annexure P-1 by alleging that huge loss has been caused to the vehicles of the respondent-Board on 25.08.2017 because the vehicles had been parked in the office in open and since there was an apprehension due to the pronouncement of the aforesaid judgment, it was the responsibility of the petitioner to have parked the vehicle at a safer place than in open and this information was given to him on phone, but he did not take any steps to park the vehicle at a safer place. On the same date i.e. on 12.09.2017, another charge-sheet was issued to the petitioner vide Annexure P-3 on the allegation that the Chief Executive of the respondent-Board had ordered the petitioner to

get some repair work done of the damaged official vehicle, but the same was not done by him and therefore, he is guilty of indiscipline. The petitioner replied to both the charges and thereafter, Inquiry Officer was appointed and different inquiries were held. In both the inquiries, the charges were proved against the petitioner and thereafter, the matter went to the Board of Directors since under Appendix- C of Haryana Khadi and Village Industries Board (Service) Regulations 1976 (Annexure R-3/16A), in case the proposal is for punishment of dismissal from service, then the punishing authority is the Board of Directors. The Board of Directors in its meeting vide Annexure P-12 discussed the aforesaid proposal of dismissal from service and vide Annexure P-13 decided not to give punishment of dismissal from service to the petitioner but decided to award punishment of stoppage of three annual increments with cumulative effect to the petitioner and thereafter, vide Annexure P-14, respondent No.4-Chief Executive passed the order of punishment of stoppage of three annual increments with cumulative effect. The aforesaid orders Annexure P-12, Annexure P-13 and Annexure P-14 are impugned in the present writ petition.

5. Mr. K. L. Arora, learned counsel for the petitioner submitted that it is a case where due to unprecedented situation, which arose due to the pronouncement in the case of Dera Sacha Sauda Chief-Gurmeet Ram Rahim Singh in the city of Panchkula on 25.08.2017, the official vehicle which was parked in the Head Office itself was damaged by the mob, which is not in dispute. He further submitted that the only allegation against the petitioner in the first charge-sheet (Annexure P-1) was that the petitioner ought to have parked the official vehicle prior to the aforesaid two dates i.e. 24.08.2017 and

25.08.2017 at a safer place and due to his negligence, the mob has damaged the vehicle and on this ground, the aforesaid major punishment of stoppage of three annual increments with cumulative effect has been imposed upon the petitioner. He further submitted that the second charge-sheet (Annexure P-3) is also of the same date i.e. 12.09.2017, in which the allegations are that the petitioner did not get the damaged official car repaired. He also submitted that thereafter, a common order of punishment has been passed against the petitioner pertaining to both the aforesaid charge-sheets. While referring to the inquiry report of the first charge-sheet, wherein allegations were that the petitioner did not park the official vehicle at a safer place prior to 24.08.2017, he referred to the inquiry report (Annexure P-6) in this regard. He further submitted that in the inquiry, there were two witnesses on behalf of the respondent-Board i.e. PW-1-Som Parkash, Junior Auditor posted in Establishment Branch and PW-2-Sukhdev Singh, Store Keeper and they both were examined before the Inquiry Officer. So far as PW-1-Som Parkash, Junior Auditor is concerned, his statement was recorded to the effect that the petitioner is responsible for the loss caused on 25.08.2017 since the vehicle was parked in open and the petitioner was given the information with regard to the parking of the official vehicle at a safer place on phone, but at the same time he also stated that he had no knowledge as to at what time the phone call was made to the petitioner, who made the said phone call and on which date the phone call was made to the petitioner. He further submitted that the aforesaid statement of Som Parkash is rather self-demolishing and self-contradictory since he could not even state as to on which date the phone call was made to the petitioner and who made the said phone call. He further submitted that so far as PW-2-Sukhdev Singh, Store Keeper is

concerned, as per para No.3 of Annexure P-6 (Inquiry Report), when he was subjected to cross-examination, he rather stated and admitted that the respondent-Board has not earmarked any safe place for parking of the vehicles and he had no knowledge about any message given on phone and that the vehicles used to be parked in the garage but the garage was not vacant as it had been given on rent to the District Industries Centre, Panchkula and for this reason, the vehicles used to be parked in the open.

6. After the aforesaid two witnesses were examined, the Presenting Officer closed his evidence and thereafter, the statement of the petitioner was recorded, wherein he clarified that the phone call was received on 25.08.2017 at 6:11 P.M. from Roshan Lal, Private Secretary to respondent No.4 and the petitioner at his own risk went to the office on foot though the curfew was being imposed in the city of Panchkula and he gave the information about the loss caused to the vehicles to aforesaid Roshan Lal, Private Secretary and respondent No.4-Chief Executive and then he parked the vehicles in the garage of SSS Board by making his own request for parking of the vehicles in their garage. The aforesaid is incorporated in para No.5 of Annexure P-6.

7. Learned counsel for the petitioner further submitted that after the recording of the aforesaid statements, the Inquiry Officer held that the charges against the petitioner were proved even when there was nothing on the record to prove that the petitioner was ever informed on phone and that the petitioner had parked the official vehicle in an open space in the porch, whereas as per the statement of PW-2-Sukhdev Singh himself, he had so specifically admitted that the respondent-Board has not earmarked any safe place for parking of vehicles and the vehicles used to get parked in the garage but the garage was not vacant

because it had been given on rent to the District Industries Centre, Panchkula and therefore, the findings of the Inquiry Officer were not only perverse but they were totally against the evidence itself as aforesaid but still the Inquiry Officer held that the charges are proved against the petitioner and he is responsible for the loss caused to the respondent-Board. He also submitted that so far as the second inquiry is concerned, the allegations against the petitioner were that after the damage was caused to the official car, he did not get it repaired, which on the face of it are absurd and separate charge-sheet was issued to him on the same date i.e. on 12.09.2017, whereas such charges could have been framed in the same charge-sheet but for the reasons best known to the respondent-Board, two different charge-sheets were issued against the petitioner and rather the second charge-sheet (Annexure P-3) was only a mere consequence of the first charge-sheet (Annexure P-1).

8. Learned counsel for the petitioner also submitted that the disciplinary and the punishing authority of the petitioner is the Chief Executive and the respondent-Board is only the appellate authority but since for the punishment of dismissal from service, the punishing authority is the Board of Directors and the proposal was made for dismissal from service, deliberately the matter was referred to the Board of Directors for taking a decision to which the Board of Directors decided of imposing major punishment of stoppage of three annual increments with cumulative effect upon the petitioner. He further submitted that at the time when the Board of Directors vide Annexure P-12 and Annexure P-13 discussed the issue, the plea taken by the petitioner in the reply filed to the charge-sheets and the evidence of the Inquiry Officer have not been

discussed and not even a single reason has been given by the Board of Directors as to how the petitioner was liable for the aforesaid major punishment.

9. He further submitted that the actual reason as to why the Board of Directors had taken a decision for imposing the aforesaid major punishment upon the petitioner was that in the present case, the complainant was respondent No.4, who was the Chief Executive and at his instance, charge-sheets were issued to the petitioner and the aforesaid respondent No.4 was himself a member of the Board of Directors at serial number 2 and he himself participated in the Board of Directors meeting despite the fact that he himself was the complainant and at whose instance charge-sheets were issued against the petitioner. To substantiate his arguments, he further submitted that respondent No.4 was impleaded in the present case by his name in his personal capacity since there had been allegations of personal *mala fide* in addition to legal *mala fide* being alleged in the writ petition. Specific averments and pleadings have been made in para number 20 of the writ petition that the complainant in the present case was respondent No.4, who was the same person who had given direction to his Private Secretary on 25.08.2017 and he being a part of the Board of Directors meeting, he acted as a Judge in his own cause and it was because of the *mala fide* of respondent No.4 that the aforesaid punishment order has been passed. He also submitted that not only this, even these two officers i.e. respondent No.4 and his Private Secretary, namely Roshan Lal never gave any statement before the Inquiry Officer nor they were made witnesses and out of sheer *mala fide* have planted two false witnesses, who were not even the eye-witnesses whose statements were recorded. He further submitted that thereafter, it was so specifically pleaded in para number 21 of the present writ petition

again that it was only because of the *mala fide* of respondent No.4-the then Chief Executive that the aforesaid punishment has been imposed upon the petitioner. He further submitted that when the written statement was filed on behalf of respondents No.2 to 4, then respondent No.4 in his personal capacity against whom personal *mala fides* have been alleged did not file any written statement before this Court. However, respondents No.2, 3 and 4 filed a joint written statement, which was filed by some other Chief Executive, who was posted after respondent No.4 was transferred out and in this way, the written statement which has been filed before this Court has been filed only in the official capacity by some other Chief Executive, whereas no written statement has been filed by respondent No.4 in his personal capacity against whom personal *mala fide* has been alleged.

10. Learned counsel for the petitioner further contended that when personal *mala fides* are alleged in a petition and not replied by the person concerned, then they are deemed to be admitted. He further submitted that in this way, the personal *mala fide* which has been alleged against respondent No.4, specifically in the writ petition are therefore, deemed to be admitted. He further referred to aforesaid paras number 20 and 21 of the written statement filed by the other Chief Executive, wherein in reply to para number 20 on merits, the same have rather been admitted by stating that the same are matter of record and again, in reply to para number 21, it has been so stated that on the aspect of the *mala fide* on part of respondent No.4 are wrong and denied and the rest of the paras are matter of record. He further submitted that the officer who had filed the written statement before this Court was not the officer against whom personal *mala fides* were alleged and therefore, a denial by an officer

other than respondent No.4 is of no consequence and is insignificant and is liable to be ignored even if in one line the *mala fides* were denied. He further submitted that even otherwise also as per the allegations, it was not the petitioner who had damaged the official vehicle but it was the mob which had caused the damage even as per the charges against the petitioner and such a major punishment of stoppage of three annual increments with cumulative effect has been imposed upon the petitioner and considering the aforesaid circumstances, the charge-sheets and the order of punishment are liable to be quashed. He further submitted that now even the petitioner has retired on 31.01.2021 and in view of the aforesaid punishment order, the pension has been fixed by implementing the aforesaid punishment order and, therefore, a direction is also sought to re-fix the pension of the petitioner along with all consequential benefits since the order of punishment is bad in law.

11. On the other hand, Mr. Jagbir Singh, learned counsel for respondents No.2 to 4 submitted that a joint written statement has been filed on behalf of respondents No.2, 3 and 4 by the Chief Executive, namely, Amneet P. Kumar, who is not the respondent No.4 and no separate reply has been filed by respondent No.4. He further submitted that the aforesaid punishment order is of the year 2018 and the present writ petition has been filed in the year 2021 after the retirement of the petitioner and therefore, there was a delay in filing of the present writ petition and the petition is liable to be dismissed on the ground of delay and laches. He also submitted that once the charges against the petitioner were duly proved by the Inquiry Officer and thereafter, the Board of Directors being the competent authority had applied its mind and taken a conscious decision with regard to proving of the charges against the petitioner, there is no

occasion for this Court to re-appraise the evidence and the decision taken by the Board of Directors was perfectly in accordance with law.

12. I have heard the learned counsel for the parties.

13. The allegations as stated above against the petitioner were pertaining to the fact that the official car of which the petitioner was a Driver was parked in the porch of Head Office of respondent-Haryana Khadi and Village Industries Board at Sector-2, Panchkula and because of immense rioting and arson due to conviction of Dera Sacha Sauda Chief-Gurmeet Ram Rahim Singh on that date, the mob had damaged large number of property in the city of Panchkula and it is also not in dispute that the mob had damaged the aforesaid official car. The allegation against the petitioner was that prior to 24.08.2017, he did not park the official car at a safer place which resulted in the damage to the car by the mob because it was parked in the porch and not at a safer place. It may be noted that translated form of inquiry report (Annexure P-6), which has been attached by the petitioner along with the writ petition is not properly translated. However, a perusal of the vernacular of Annexure P-6 would show that there were two witnesses of the respondent-Board. The first witness i.e. PW-1-Som Parkash on the face of it had given an evasive statement since he so stated that he had informed the petitioner on phone, but on which date he had informed and at what time phone call was made etc., he could not state anything. The second witness i.e. PW-2-Sukhdev Singh rather admitted in his cross-examination that the respondent-Board had not earmarked any safe place for parking of the vehicles. The allegations against the petitioner were that he did not park the official car at a safer place. The aforesaid witness Sukhdev Singh also stated in the cross-examination that the vehicles were used to be

parked in the garage, but the garage was not vacant as it had been given on rent to the District Industries Centre, Panchkula and that was the reason as to why the vehicles were used to be parked in the open. Still, the Inquiry Officer without even discussing the effect of the aforesaid witnesses, straightaway came to the conclusion that the charges are proved against the petitioner. A perusal of the aforesaid inquiry report (Annexure P-6) would show that the aforesaid evidence has not even been discussed in the operative part. On the other hand, the petitioner had given an explanation in his statement and the same was also not discussed and on the face of it, the findings of the Inquiry Officer are against the evidence itself. So far as the second charge-sheet is concerned, the same was of the same date as of the first charge-sheet and seems to be only a consequence of the first charge-sheet because the allegations in the second-charge sheet were that petitioner did not get the official car repaired. Therefore, this Court is of the view that so far as the report of the Inquiry Officer is concerned, the same deserves to be set aside and quashed on merits due to aforesaid reasons.

14. One of the arguments which was raised by the learned counsel for the petitioner was that petitioner had alleged personal *mala fide* against respondent No.4, who according to him was the complainant and on whose instructions aforesaid Roshan Lal, Private Secretary to respondent No.4 called the petitioner on 25.08.2017 in the evening when the entire city of Panchkula was under heavy fire because law and order position was very grim. Specific allegations have been made against respondent No.4 in person in paras number 20 and 21 of the present writ petition. However, no reply has been filed by the respondent No.4. The aforesaid pleadings made in para number 20 of the writ

petition and the corresponding reply filed by the respondent-Board are reproduced as under:-

Pleadings made in para number 20 of the writ petition.	Reply on merit on behalf of respondents No.2 to 4
20. Eye-witnesses withheld-planted witnesses brought in. Neither statement of Respondent No. 4 nor Roshan Lal, P.S.-who were the complainants, was ever recorded-only statements of 2 planted witnesses-Som Parkash (PW-1) and Sukhdev Singh (PW-2) were recorded mala fide. In this case, the complainant is Mr. Shekhar Vidyarthi, the then Chief Executive/Respondent No. 4. He is the only person who gave direction to his Private Secretary Mr. Roshan Lal, who gave a mobile call on 25.08.2017 at 6:11 P.M. Respondent No. 4 also talked with the petitioner on phone regarding this damage caused. Every factual situation was given to both of them. Respondent No. 4 was a complainant and he also acted as a Judge against the petitioner when the Board meetings were decided and orders of major penalty were passed. Respondent No. 4, mala fide took the support of E.O. - Mr. Raj Krishan and also joined him in the Board meeting of 28.03.2021. However, neither Respondent No. 4/Mr. Shekhar Vidyarthi nor Mr. Roshan Lal, Private Secretary to the then Chief Executive gave any statement before the Inquiry Officer. Respondent No. 4, out of sheer mala fide, planted 2 false witnesses who were not the	That the contents of para No.20 of the petition are matter of record. Further, para No.2 to 10 of the preliminary Submissions of the reply are reiterated here.

eyewitnesses and their statement was recorded. It is thus obvious that by recording the statement of 2 PWs, who were not eyewitnesses, the petitioner was awarded major penalty on sheer mala fide of Respondent No. 4. The Rules do not permit that the eyewitness may not give the statement and the statement may be recorded of the persons who were neither here nor there.	
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15. Since the respondent No.4 against whom personal *mala fide* has been alleged has not filed any reply and has not controverted to the allegations of personal *mala fide*, the same are therefore deemed to be admitted. Reference in this regard may be made to a judgment passed by the Hon’ble Supreme Court in **Daljit Singh Grewal versus State of Punjab and others, (2015) 9 SCC 680.**

Para No.39 of the aforesaid judgment is reproduced as under:-

“39. Further, the adverse remarks for the period 1999-2000 were conveyed to appellant vide communication dated 28.06.2000 by the D.G.P-cum-Commandant General. The representations dated 18.08.2000 and 25.08.2000 made by the appellant against the same were submitted to Respondent 4. The said representations were rejected on 07.05.2001. The appellant had challenged the same by filing Civil Suit No. 70 of 2001, wherein the Respondent 4 was impleaded as Defendant 3. The civil suit was decreed on 15.03.2002 in favour of the appellant. The said judgment and decree passed in favour of the appellant has not been implemented by the Respondents 4 and 5, despite having attained finality, which clearly reflects the fact that the Respondent 4 was not fair in considering him for promotion to the post of Battalion

Commander as provided under Rule 8(2) of the Rules. According to the Rules, the appointment to the promotional post shall be made on seniority-cum-merit basis. As per the ACRs placed on record, the appellant has fulfilled the aforesaid requirement of seniority-cum-merit by securing 14 marks, as per the instructions in relation to all aspects entered in the ACR. The strong reliance placed upon the adverse remarks made by the Respondent 4, who has made the same without assigning any reasons, has resulted in the appellant being denied of the promotional benefit, even though the order of the Respondent 4 was set aside by the judgment and decree in Civil Suit No.70 of 2001. The action of Respondent 4 in denying the promotional benefit to the appellant is tainted with mala fides. It can further be observed from the record that it was Respondent 7 who had filed the reply on behalf of all the respondents in the writ petition proceedings before the High Court. It is important to note at this stage that Respondent 7 happens to be an officer junior to the appellant, who was promoted to the post in question. The non-filing of written statement by Respondent 4 traversing the allegations of mala fide against him proves the mala fide intention on part of the Respondent 4. Therefore, there was no justification for Respondent 4 in denying the promotional benefit to the post of Battalion Commander to the appellant. The learned Senior Counsel on behalf of the appellant has rightly placed reliance on Sukhdev Singh⁶, wherein this Court has lucidly laid down the law pertaining to communication of ACR. It was held that if the ACR of the officer concerned is to be used for the purpose of denying promotion, then all such ACRs were required to be communicated to him, to enable him to make a representation against his adverse entries made in the ACRs. ”

16. Similarly, in *Asha versus PT. B. D. Sharma University of Health Sciences and others, (2012) 7 SCC 389*, it was observed by the Hon'ble Supreme Court that when the pleadings are not controverted, then the same are deemed to be admitted. Para No.17 of the aforesaid judgment is reproduced as under:-

“17. It is a settled principle of the law of pleadings that an averment made by the appellant is expected to be specifically denied by the replying party. If there is no specific denial, then such averment is deemed to have been admitted by the respondent. In the present case, it is evident that the above-noted averments in the writ petition were relevant and material to the case. In fact, the entire case of the appellant hinged on these three paragraphs of the writ petition. It was thus, expected of the respondents to reply these averments specifically, in fact to make a proper reference to the records relevant to these paragraphs. In view of the omission on the part of the respondents to refer to any relevant records and failure to specifically deny the averments made by the appellant, we are of the considered view that the appellant has been able to make out a case for interference.”

17. Even otherwise also, the allegations made in para number 20 of the writ petition have not been controverted even by the official respondents which otherwise they could not have done so because the allegations were of personal *mala fide*. Even qua the reply to para number 21 of the writ petition, the allegations of *mala fide* could not have been controverted by some other officer by filing the reply in its official capacity since respondent No.4 himself has never filed reply before this Court. Therefore, this Court is of the view that the

allegations of personal *mala fide* against respondent No.4 stand proved before this Court.

18. Even considering the overall totality and circumstances of the present case, it is very surprising to see that at that point of time on 25.08.2017, there was large scale arson and rioting in the city of Panchkula and the allegations against the petitioner, who was a Driver was that he had parked the official vehicle in the Head Office of respondent-Board in the porch and on this ground, major punishment has been imposed upon him and even otherwise also, such kind of punishment against the petitioner cannot be sustained under any circumstance, especially when there is no allegation against the petitioner that he had caused damage to the official vehicle. Apart from above, the aforesaid respondent No.4 against whom the allegations were that he was rather the complainant, he himself participated in the Board of Directors meeting and therefore, the decision of the Board of Directors is also not sustainable being hit by the *doctrine of bias*. Nobody can be a Judge in his own cause and in the present case, the principles of natural justice are being violated *ex facie*.

19. In view of the aforesaid facts and circumstances of the present case, the present writ petition is allowed. The impugned orders dated 12.02.2018 (Annexure P-12), 28.03.2018 (Annexure P-13) and 16.05.2018 (Annexure P-14) are hereby set aside and quashed. The respondent-Board is directed to re-fix the pay and pension of the petitioner and pay him all the consequential benefits, within a period of three months from today along with interest @ 6% per annum. It is made clear that in case the aforesaid amount is not paid to the petitioner within a period of aforesaid three months, then the petitioner shall be entitled for future rate of interest @ 9% per annum.

20. Since in the present case, personal *mala fides* were alleged against respondent No.4 and he has not controverted to the same by filing any reply before this Court and the same stand proved, the petitioner shall also be entitled for costs, which are assessed as Rs.50,000/-, which shall be paid by the respondent No.4 in his personal capacity and not from the official Exchequer. The aforesaid costs shall also be paid to the petitioner within a period of three months from today.

15.02.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No