

Sri Paramesha vs State of Karnataka

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Court : Karnataka

Decided On : Aug-30-2025

Judge : K.S.Mudagal,M.G.S. Kamal

Appeal No. : CRL.A/140/2019

Appellant : Sri Paramesha

Respondent : State of Karnataka

Judgement :

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IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF AUGUST, 2025 PRESENT THE HON'BLE MRS. JUSTICE K.S.MUDAGAL AND THE HON'BLE MR. JUSTICE M.G.S. KAMAL CRIMINAL APPEAL NO.140/2019 (374 (Cr.PC)/415(BNSS)) BETWEEN: SRI PARAMESHA S/O PUTTAIAH OCC:LABOURER R/AT KALLUGUDDA VILLAGE GONIBEEDU HOBLU MUDIGERE TALUK - 570 015 APPELLANT (BY SRI.VENKATESH P DALWAI, ADVOCATE) AND: STATE OF KARNATAKA BY GONIBEEDU POLICE STATION

Digitally signed by K S REPT. BY PUBLIC PROSECUTOR RENUKAMBA HIGH COURT OF KARNATAKA BANGALORE - 560 001 RESPONDENT Location: High Court of (BY SRI.VIJAYAKUMAR MAJAGE, SPP-II) Karnataka

THIS CRIMINAL APPEAL IS FILED UNDER SECTION 374(2) CR.P.C PRAYING TO SET ASIDE THE JUDGMENT DATED 27.09.2018 AND ORDER OF SENTENCE DATED 28.09.2018 PASSED BY THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, CHIKKAMAGALURU IN S.C.NO.14/2017 - CONVICTING THE APPELLANT/ACCUSED FOR THE OFFENCE PUNISHABLE UNDER SECTIONS 498-A AND 302 OF IPC AND ETC. THIS CRIMINAL APPEAL, COMING ON FOR FINAL HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER: -2-

CORAM: HON'BLE MRS. JUSTICE K.S.MUDAGAL AND

HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE K.S.MUDAGAL) Challenging the judgment and order of conviction and sentence passed against him, accused in S.C.No.14/2017 on the file of the Principal District & Sessions Judge, Chikkamagaluru has preferred this appeal.

2. By the impugned judgment and order the Trial

Court has convicted the appellant for the charges for the offences punishable under Sections 302, 498A of IPC and sentenced him to different terms of imprisonment as follows: Sl. Offence Sentence Fine Default No under amount sentence Section in Rs. 1 302 of IPC Imprisonment 10,000/- RI for 3 months for life 2 498A of IPC RI for 1 year 5,000/- RI for 1 months

3. The appellant was the sole accused in S.C.No.14/2017 before the trial Court. For the purpose of convenience, the parties are referred to henceforth according

to their ranks before the trial Court.

4. The charges against the accused was that he subjected his wife Shruthi to physical and mental cruelty in -3-

connection with his demand for money for his alcohol addiction. On 27.04.2016, at 9.00 p.m., i.e. within two years of their marriage, in his house, at Kallugudde, accused assaulted Shruthi demanding money for alcohol. When she refused to pay, with an intention to commit her murder, he hit her with kerosene lamp. Consequently, kerosene in the lamp spilled on her, she caught fire and suffered burn injuries. On 09.05.2016 at 8.15 p.m. in Wenlock Hospital she succumbed to such injuries.

5. The Trial Court on conducting trial convicted and sentenced the accused as aforesaid. Accused challenged the aforesaid judgment and order of conviction and sentence in the above appeal.

6. Heard both side. Submissions of Sri Venkatesh P.Dalwai, learned Counsel for the appellant:

7. The Trial Court has convicted the accused based on

dying declaration of the victim. Ex.P18/alleged dying declaration of the victim does not bear the certificate of the doctor concerned about fitness of the victim. Ex.P7 which was issued on 30.04.2016 states that the doctors have opined that the victim is not responding to the treatment and there are -4- uncertainties about her survival. But Ex.P18 is purportedly recorded on 29.04.2016. Therefore the victim having given

statement is doubtful. The dying declaration was not corroborated by other evidence. The evidence of PW.4 shows that when he recorded the statement of the victim, mother of the victim was with her. Therefore, it becomes clear that Exs.P8 and P18 were hand work of the relatives of the victim. There are no eyewitnesses to the incident. The case is based on

circumstantial evidence. The accused has taken up the contention that he was not present in the house at the time of the incident. The evidence of PW.7 shows that he was interested witness and his presence at the scene of offence was

improbable. Merely because death has taken place in the house of the accused, the prosecutions burden of proving the charges does not stand discharged. The prosecution has failed to prove that the accused was the author of the burns. The evidence on record shows that kerosene lamp which was allegedly used for the commission of the offence was broken.

Hence, the prosecution case that the accused splashed kerosene and burnt the victim becomes unacceptable. The trial Court has failed to appreciate the evidence of the prosecution -5- and the defence witnesses in proper perspective. Hence, the impugned judgment and order is liable to be set aside.

8. In support of his submissions, he relies on the following judgment: Purushottam Chopra and another vs. State of NCT, Delhi¹ Submissions of Sri Vijayakumar Majage, learned SPP-II:

9. Accused did not dispute that the incident has taken place in his house within two years of marriage. Though he was residing in the said house with the victim, he has no

explanation how she caught fire. Attempt was made to contend that burn injuries were accidental. If that is the case, accused should have taken the victim to the hospital. Soon after the incident, he was found missing from the house. That

circumstance shows his involvement in the crime. PW.7/immediate neighbour of the victim fully corroborated Exs.P8 and P18 the statements of the victim before the Tahsildar and the Police Officer. The evidence of PWs.7 and 9 shows that they were immediate neighbours of the accused. Soon after the incident, they rushed to the spot and the victim revealed to them that the accused has set her on fire.

Therefore their evidence is credible. The statement of the victim was recorded without any delay. When Ex.P18 was recorded, PW.11 had not anticipated her death. Therefore not obtaining certification of the doctor on the statement is not fatal. PW.6 was relative of the accused, therefore he has turned hostile. Still he speaks about alcohol addiction of the accused. The overall appreciation of the evidence shows that the accused was the culprit. The trial Court on proper appreciation of the

evidence has reached the appropriate conclusion. The impugned judgment and order does not warrant interference of this Court.

10. On hearing both side and on examining the

materials on record, the question that arises for consideration of this Court is whether the impugned judgment and order of conviction and sentence against the accused is sustainable? Analysis

11. Undisputed facts are that the accused and Shruthi

were married since two years prior to 27.04.2016. As on 27.04.2016 the couple had a daughter aged one year. On 27.04.2016 during night Shruthi suffered burn injuries in the house of herself and the accused near Kallugudde of Kaskebylu -7-village situated within the limits of Gonibeedu Police Station. She was shifted to MGM Hospital, Mudigere and from there she was shifted to Wenlock Hospital, Mangaluru. She succumbed to the injuries on 09.05.2016 at 8.15 p.m.

12. The case of the prosecution is as follows:

(i) That the accused looked after the victim well for

two or three months after the marriage, then he became addicted to alcohol. He used to come home drunk, quarrel with the victim and assault her demanding money for his addiction. On 27.04.2016 at 9.00 p.m. he came home drunk, picked up quarrel with the victim demanding money for alcohol. When she refused to pay money, he abused her in foul language and tried to throttle her. With an intention to commit her murder, he threw the burning kerosene lamp towards her. Kerosene

spill on her body and she caught fire. On listening the commotion PW.6, PW.7, CW.3 Girish, PW.5 and CW.6 rushed to the spot. Accused escaped from the scene. They shifted her to MGM Government Hospital, Mudigere. On the advise of the doctor she was shifted to Wenlock hospital, Mangaluru for further treatment. - 8-

(ii) On receipt of medico legal intimation, on the instructions of his higher officers, PW.11 the ASI of Gonibeedu Police Station visited Wenlock hospital and recorded her statement as per Ex.P18 between 1.p.m. and 2.00 p.m. On returning to the Police Station he produced the statement

before PW.13/the ASI of Gonibeedu Police Station. Based on Ex.P18, PW.13 registered FIR against the accused as per Ex.P21 for the offence under section 307 of IPC. He visited the spot, conducted spot mahazar/Ex.P12, recorded the statements of the witnesses and arrested the accused. On the basis of his voluntary statement seized incriminating material MO.2/kerosene lamp under Ex.P16.

(iii) On the death of the victim on 09.05.2016 section

302 IPC was included in the case. PW.17/the PSI of the Pandeshwara Police Station on receiving death intimation forwarded the same to Gonibeedu Police station. Then PW.13 handed over further investigation to PW.12. PW.12 collected Ex.P8/dying declaration from PW.4/Tahsildar. He got the death intimation from the hospital. Then he transferred investigation to PW.16-CPI Mudigere Police Circle. PW.16 conducted the further investigation and filed the charge sheet. -9-

13. The Trial Court on hearing both side framed the

charges against the accused for the offences punishable under Sections 498A and 302 IPC. The accused denied the charges, therefore the trial was conducted. In support of the case of the prosecution, PWs.1 to 17 were examined, Exs.P1 to P28 and MOs.1 and 2 were marked. After his examination under Section 313 Cr.P.C. the accused examined DW.1 in his defence evidence.

14. The Trial Court on hearing the parties by the impugned judgment and order convicted and sentenced the accused as aforesaid.

15. The case of the prosecution was based on:

i) The evidence of PWs.6,7 and 9/eye witnesses to dying declaration of the victim;
ii) The statement of the victim before PW.11 as per Ex.P18; iii) Dying declaration Ex.P8 said to have been made before PW.4/Tahsildar; iv) Medical evidence and v) Evidence of the official witnesses - 10 -

16. There are three sets of dying declarations in the case.

(i) First one is the oral dying declaration by the victim before PWs.6, 7 and 9 when they rushed to the spot.

(ii) Second one is the statement as per Ex.P18 made by the victim before PW.11/the ASI who goes to the hospital on the medical intimation and enquires her about the incident.

(iii) Third one Ex.P8 said to be made before PW.4/theTahsildhar.

17. As per Section 32(1) of the Indian Evidence Act,

1872 (Evidence Act for short) verbal or written statement made by a person as to cause of his/her death or as to any of the circumstances of the transaction which resulted in his/her death is relevant in cases where the cause of such persons death comes into question. It is immaterial whether the person making such statement was under expectation of death or not.

18. The legal principles regarding the reliability of the

dying declaration have been expounded by the Honble Supreme Court in para 21 of the judgment in Purushotham Chopra v. State (Government, NCT, Delhi) as follows: 21. For what has been noticed hereinabove, some of the principles relating to recording of dying declaration and its - 11 - admissibility and reliability could be usefully summed up as under:- i) A dying declaration could be the sole basis of conviction even without corroboration, if it inspires confidence of the

Court. ii) The Court should be satisfied that the declarant was in a fit state of mind at the time of making the statement; and that it was a voluntary statement, which was not the result of tutoring, prompting or imagination. iii) Where a dying declaration is suspicious or is suffering from any infirmity such as want of fit state of mind of the declarant or of like nature, it should not be acted upon without corroborative evidence. iv) When the eye-witnesses affirm that the deceased was not in a fit and conscious state to make the statement, the medical opinion cannot prevail. v) The law does not provide as to who could record dying declaration nor there is any prescribed format or procedure for the same but the person recording dying declaration must be satisfied that the maker is in a fit state of mind and is capable of making the statement

vi) Although presence of a Magistrate is not absolutely necessary for recording of a dying declaration but to ensure authenticity and credibility, it is expected that a Magistrate be requested to record such dying declaration and/or attestation be obtained from other persons present at the time of recording the dying declaration. - 12 -

vii) As regards a burns case, the percentage and degree of burns would not, by itself, be decisive of the credibility of dying declaration; and the decisive factor would be the quality of evidence about the fit and conscious state of the declarant to make the statement. viii) If after careful scrutiny, the Court finds the statement placed as dying declaration to be voluntary and also finds it coherent and consistent, there is no legal impediment in recording conviction on its basis even without corroboration. (Emphasis supplied)

19. From the above quoted passage, it becomes clear

that if dying declaration is found acceptable, conviction can be based solely on the same and no corroboration to the same is required. The presence of Magistrate while recording the dying declaration is not mandatory, but only a matter of prudence. Further if any doubt is created regarding the credibility of dying declaration, then corroboration has to be sought. Even if the victim had suffered 100% deep burns, if the evidence of the doctor and the person recording the

statement shows that victim was conscious and oriented, such dying declaration can be accepted. Therefore, dying declarations relied by the prosecution in this case have to be examined in the light of the above principles.

- 13 - Reg. Dying Declaration before PWs.6, 7 and 9:

20. According to the prosecution, on 27.04.2016 at

09.00 p.m., the accused came home drunk and demanded victim Shruthi to give him money. When she refused to heed to his demand, he assaulted and set her ablaze, throwing kerosene lamp towards her. When she raised alarm, PWs.6, 7 and 9 rushed to the spot and she revealed to them about the accused demanding money and setting her ablaze, then they shifted her to the hospital.

21. PWs.6, 7 and 9 are residents of Kallugudde area of

Kaskebylu village. PW.6 deposed that his house situates 200- 300 mts away from the house of the accused, victim Shruthi died within one year of her marriage with the accused due to

burn injuries. In his chief examination as well as cross examination he spoke about the alcoholism of the accused. He testified that victim had made preparation for birthday of her daughter on the day next to the ill-fated day, on 27.04.2016 around 7.30 to 8.00 p.m. himself and CW.3 Girish after talking to victims child near the gate were proceeding and he heard Shruthi screaming, they rushed to the spot and found Shruthi on flames and his family members came there, put off the fire

- 14 - and shifted her to the hospital. It is true that he did not support the prosecution case that Shruthi made statement

before him implicating the accused. However, his evidence shows that after the incident PW.7, his brothers, wife and neighbours came to the spot and Shruthi spoke to them. In the cross-examination by the Public Prosecutor, he admitted the suggestion that the accused used to come home drunk, beat the victim and PW.7 and his wife in that regard had advised the

accused. He also admits that when they entered the shed, Shruthi was on flames and after putting off the fire, Shruthi was talking. Though he stated that when they went to the spot Shruthi was not able to speak, in the chief examination itself he says that Shruthi spoke to his senior uncle and aunt. That goes to show that she was in position to speak. Even in the cross- examination by the defence Counsel, he stood his ground about alcoholism of the accused. When he says that Shruthi was speaking, he was reluctant to reveal what she spoke. Since he had related to the accused even before marriage of the accused

with the victim, his reluctance to speak about dying declaration, apparently help the accused can be inferred. - 15 -

22. PW.7 is the maternal uncle of the victim. In his

chief examination, he states that on the date of the incident, when he was in the house, he was informed that accused quarreling with Shruthi has set her ablaze. Immediately himself and his neighbours, brothers went to the spot and found

Shruthi aflame. They put off the fire. Shruthi told them that galata took place in the matter of arranging money for the birthday of the child which was to be celebrated on the next day, accused bet her with kerosene lamp and set her on fire. He also deposed that in the shed, accused, victim and the children were residing. Mother and elder brother of the accused were residing separately in the house. He also deposed that there used to be quarrel between the accused and the deceased regarding money and Shruthi used to tell them about the same. In that regard, two to three times, they had advised the accused. He further deposed that the accused was alcoholic and victim told them that on that day, he started galata at 5.00 p.m. only. He speaks about taking the victim to Mudigere

Hospital and from there to Wenlock Hospital. To the suggestion, in the cross-examination that soon after the incident, he did not file police complaint, he stated that first he - 16 - had to take the victim to the hospital. He denies the suggestion that Shruthi had not made such oral statement before him.

23. PW.9 is the elder brother of the victim and brother-

in-law of the accused. He deposed that accused used to come home drunk and everyday he used to harass his sister demanding money for his alcoholism. He further deposed that on learning about the incident, they rushed to the victims house and found that people were putting off fire. Then he shifted Shruthi to Mudigere Hospital and from there to Wenlock Hospital. He further deposed that Shruthi revealed to him that the accused demanded the money that she had saved for the birthday of their child, bet her, shouted at her and splashed kerosene towards her and set her on fire using quarter bottle kerosene lamp. He speaks about Tahsildar recording the

statement of the victim in the hospital. In the cross- examination by the defence Counsel, he states that at the time of the incident, he was watching TV in victims neighbours house situated at the distance of 150 feet. Himself along with 8 to 10 people were watching TV and at 8.30 p.m. on learning that the incident took place, they rushed to the scene of offence where flames were being put off. But flames were not

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still completely doused. In the cross-examination conducted on 14.03.2018, he stated that victim made such revelation when himself and other family members were there. In the chief examination on the same day, he spoke about Shruthi making statement before him against the accused. On 14.06.2018 that is after three months, he was recalled and further cross- examined by the defence Counsel. In such further cross- examination, he totally turned hostile about overt acts of the accused and the statement of the victim being recorded in the hospital by the police. That goes to show that he was tampered. However, in the cross-examination of the aforesaid witnesses, their presence at the scene of offence soon after the incident when the victims flames were being put off, was not denied.

24. It is material to note that though the victim suffered

injuries on 27.04.2016, she died on 09.05.2016 at 8.15 p.m. in the hospital i.e. after about 12 days. Therefore the trial Court was justified in accepting the prosecutions version that the victim made statement before PWs.6, 7 and 9

implicating the accused. - 18 - Reg. Dying Declaration Ex.P18 before PW.11

25. According to the prosecution, on victims admission

into Wenlock Hospital, medico-legal intimation was issued to Gonibeedu Police Station. PW11/ASI of the said police station, on the instructions of his Senior Officer/PW.12 visited Wenlock Hospital, recorded victim's statement as per Ex.P18. There she implicated the accused. Based on that PW.13/ASI of Gonibeedu police station registered the FIR as per Ex.P21 against the accused.

26. Recording of the dying declaration is challenged

mainly on the ground that the victim was not in a position to give the statement and doctors certification was not taken before recording Ex.P18. PW.11 in his chief examination deposed that on getting information about admission of the victim in Wenlock Hospital, he was directed by PW.12/CW.28 to visit the hospital and to record the statement. Accordingly, he visited the hospital and enquired the victim and recorded her statement as per Ex.P18 and took thumb mark of the victim on

Ex.P18. Then he produced the same before PW.13. PW.13 states that based on the same he registered FIR as per Ex.P21. It is no doubt true that records regarding PW.11 giving - 19 - requisition to the hospital authorities and taking permission of the doctor is not reflected in Ex.P18. PW.11 in his cross-examination says that as the doctor was not available in the hospital when he had gone to record the statement, he could not contact doctor and record the statement in the doctors presence.

27. It is also true that the prosecution did not examine

the doctor who treated the victim on 29.04.2016. However, PW.1 is the doctor of the same hospital who conducted postmortem examination on the dead body of the victim on 10.05.2016. He deposed that the victim had suffered 60% superficial to deep burn injuries. He further deposed that there were eight burn injuries on the chest, 9 injuries on the abdomen. It is not elicited in his cross-examination that mouth, tongue and lips were burnt. PW.1 stated that the fingers of the hands of the

victim were not burnt, but toes were burnt. He further deposed that such injuries could not have caused, if the victim suffered accidental burns, while cooking. Column No.(iv) of Ex.P1/the postmortem report shows that mouth, pharynx and oesophagus of the victim were intact and unremarkable.

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28. As already noted, the victim died on 09.05.2016.

There was nothing on record to show that as on 29.04.2016, when Ex.P8 was recorded, the victim was not in a position to speak. Therefore the contention regarding the fit condition of the victim to give statement cannot be accepted. Under the circumstances, the judgment in Purushothams case referred to supra advances the prosecutions case and not the contentions of the accused.

29. It is also to be noted that Ex.P18/the statement of

the victim was recorded on 29.04.2016 between 1.00 p.m. to 2.00 p.m. On returning from Wenlock Hospital, Gonibeedu Hospital, based on Ex.P18, FIR was registered at 7.30 p.m. The victim died on 09.05.2016 i.e. 9 days later. In the context of medical evidence and the evidence of PW.1, there was no reason to infer that the victim was unfit to make the statement as per Ex.P18 or her oral dying declaration discussed above. Therefore the trial Court was justified in believing Ex.P18.

Reg. Dying Declaration/Ex.P8 before Tahsildhar:

30. It is the case of the prosecution that after registering the FIR, on the requisition of the Investigating Officer, PW.4/Tahsildar visited Wenlock Hospital on 30.04.2016 - 21 -

and recorded victims statement as per Ex.P8 at 5.30 p.m. and she revealed in the said statement about accused subjecting her to cruelty everyday coming home drunk and demanding money and he subjected her to burn injuries on the day of the incident throwing kerosene lamp on her. It is no doubt true that PW.4 in his chief examination only says that he visited Wenlock Hospital and informed the

doctor about recording the statement of the victim. He does not even say he enquired about fit state of the victim. In the cross-examination, he says that he does not remember the name of the doctor whom he contacted. Though he says that he has taken certificate from the doctor, the same is not forthcoming in Ex.P8. Though there is certification/endorsement in page 3 of Ex.P8 that the Tahsildar has recorded the statement in the presence of Chief Medical Officer and sealed, to that effect the said Chief Medical Officer was not examined. At the most, recording of the statement Ex.P8 may not be fully satisfactory, but that does not create doubt about the fit state of the victim to give statement Ex.P18.

31. Even if Ex.P8 is discredited still the fact remains that the victim has met unnatural death in the house of the - 22 -

accused, where himself and victim were living together. The above discussed evidence of PWs.6, 7 and 9 shows that the at the time of the offence, the accused was in the house. If at all burns were accidental one, in the natural course of conduct, he should have informed the others and taken the victim to the hospital which he failed to do. He has no explanation for such lapses or regarding the cause of victim suffering such injuries. His theory that the burns were accidental one is falsified by the oral dying declaration of the victim before PWs.6, 7 and 9 and the dying declaration Ex.P18 before PW.11. Thereby the burden of the prosecution to prove the charge stood discharged. Then the accused had to explain how the victim suffered burn injuries, which was within his special knowledge. He failed to explain that by rebutting the presumption under Section 106 of the Evidence Act.

32. In his examination under Section 313 of Cr.P.C.,

the accused did not plead the theory of victim suffering accidental burns. He did not choose to get himself examined as defence witness to afford an opportunity to the prosecution to cross-examine him. As against that, he chose to examine DW.1 Rajesh. DW.1 in his chief examination claimed that his house is - 23 -

situated 50-20 feet away from the house of the accused, accused and the deceased were living cordially and accused was not consuming alcohol. He further

deposed that on the date of the incident, at about 9.00 p.m. to 9.30 p.m. when he was proceeding near the house of the accused, he heard screams from the house, entered the house and found kerosene lamp on the body of the victim, then he called people and they put off the fire. He says that at that time, victim was not in a position to speak, then they took the victim to Mudigere Hospital, from there to Mangalore Hospital, the victim was not in a position to speak in Mangalore Hospital. He also deposed that at that time, the accused was not in the house and he came home after people gathered there. When the accused in the cross-examination of prosecution witnesses suggested that the victim suffered accidental burns, this witness states that the victim committed self-immolation. DW.1 in his cross-examination admits that he was doing car driving work and coolie work. He states that during 2014, he was doing driving job in Bangalore. He says that uncles house is 200-300 meters away from the scene of offence and between his house and the house of the accused, there is one road. He does not say when he gave up his job in Bangalore and came back to his

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village. Though he claims to have given statement before the Police, his name does not find place in the charge sheet as witness. If at all the burns were accidental or suicidal burns, what prevented him to inform to the police about the incident, is not explained by him. In his cross-examination in para 14, he admits that he did not accompany Shruthi to Mudigere Hospital or her family members when they took her. He himself speaks about PW.7 and his wife taking the victim to the hospital. Thus the presence of PW.7 at the scene of offence is probalised by the evidence of DW.1 himself. Thereby dying declaration of the victim before PW.4 also becomes probable. DW.1 further states that on the next day he went to the hospital. Victim died 7-8 days after such visit in Mangalore Hospital and he did not go to the hospital again. Therefore his evidence in chief examination that in the hospital Shruthi was not in a position to speak is discredited by his own admissions in the cross-examination. He further says that he does not know what investigation is conducted by the police in the case. The overall analysis of the evidence of DW.1 shows that he was subsequently set up by the accused.

33. The reassessment of the evidence lead before the

trial Court and other facts and circumstances show that the trial Court on judicious appreciation of the evidence has convicted the accused. This Court does not find any illegality or infirmity in the conclusions reached by the trial Court. The appeal deserves no merits and is liable to be dismissed. Hence, the following:

ORDER

Appeal is dismissed. Court places on record its appreciation for able assistance rendered by Sri.Venkatesh P. Dalwai, learned panel Advocate of HCLSC. Sd/- (K.S.MUDAGAL) JUDGE Sd/- (M.G.S. KAMAL) JUDGE KSR/AKC List No.: 1 Sl No.: 10

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