

In Re: Sri Biman Bose,

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Court : Kolkata

Decided On : Aug-04-1994

Reported in : (1994)2CALLT231(HC),99CWN42

Judge : Krishna Chandra Agarwal, C.J., ;Amal Kumar Chatterjee and ;Ruma Pal, JJ.

Acts : [Contempt of Courts Act, 1971](#) - Sections 2 and 15(3); ;[Constitution of India](#) - Article 215

Appeal No. : Crl. Misc. Case No. 5997 of 1993

Appellant : In Re: Sri Biman Bose, ;mr. Harasit Ghosh and Mr. Idris Ali

Advocate for Pet/Ap. : Somnath Chatterjee, ;Pratap Chatterjee, ;Pranab Chattopadhyay and ;Satyabrata Majumdar, Advs. for the Contemner No. 1, ;P.K. Mallick, ;Shipon Das and ;Ambar Banerjee, Advs. for the Contemner Nos. 2 an

Judgement :

1. On 12th December 1993 the Bartaman, a Bengali Daily Newspaper, published a report of a speech given by the respondent No. 1 at a seminar organised by the Association of Health Service Doctors. The statement attributed to the respondent No. 1 as translated in English reads as follows :-

'The Judge's do not mete out justice. They deliver the judgments at the Court with an eye towards their self interests. The brief cases full with currency notes find

their ways in the Judges' house, in exchange, many recorded criminals, murderers and forgers go scot free Biman Babu, the C.P.M. leader made the comment about Judges. Biman Babu declares that he was making those comments consciously. He would not flinch back if he were made to stand on the dock for this.'

2. This report was drawn to the attention of two Learned Judges of this Court. Being satisfied that the remarks would justify initiation of Contempt Proceedings a Rule was ordered to be issued calling upon the respondent No. 1, as well as the Editor and Publisher of the newspaper 'Bartaman' (being the respondents Nos. 2 and 3) to show cause why they should not be committed to prison or otherwise penalised or dealt with for having made derogatory remarks against the Judiciary. The rule was served on the respondents. Each of the respondents appeared in Court personally. Directions were also given for filing of affidavits. The Court also appointed Mr. S. K. Kapoor, Senior Advocate as Amicus Curiae in the matter.

3. Incidentally it may be noted that an application was made by Mr. C. Panda, an Advocate seeking to be impleaded as a party to the proceedings on the ground that he was interested to uphold the dignity of the Court. The application was dismissed as the Court was of the view that his presence was not necessary.

4. The respondent No. 1 is an office holder of the Communist Party (Marxist) of India. In view of the seriousness of the allegation as well as the responsible position occupied by the respondent No. 1, the Division Bench referred the matter to the Chief Justice in terms of Rule 18 of the Contempt of Court Rules 1975. This Bench was thereafter constituted with one of the members of the referring Bench to hear and dispose of the matter.

5. Affidavits were filed in response to the Rule by each of the respondents. At the hearing the law on the subject was placed in some detail by the amicus curiae. Several decisions were brought to the notice of this Court which have a bearing on the issues involved. These decisions will be noted subsequently.

6. As far as the Respondent No. 1's affidavit is concerned he has said that the news report in Bartaman was incorrect. It has been stated in paragraph 4 of the affidavit as follows :

'This deponent while addressing a Seminar organised in the city of Calcutta by the Association of Health Service Doctors has made certain remarks, inter alia, in respect of the present state of affairs prevailin (sic) in the judiciary. However, this deponent did not and does not mean or has alleged that all the learned Judges are engaged in corruption aftices (sic). The correct version of this deponent duly appeared in several other daily newspapers as those newspapers were interested in reporting the correct versions of this deponent. A distorted versions has been published with a mala fide intention and ill motive in Bartaman on 12th December, 1993. The correct version of this deponent has been published in several other newspapers namely in the 'Statesman' and 'Aajkal' to which I crave leave to refer at the time of hearing and treat the same as part hereof.'

7. In his affidavit, the Respondent No. 1 has also said that the judiciary played an important role in the society and was entitled to all respect in the proper discharge of its duties and that he held the institution of the judiciary in high esteem. He has said that there was an unfortunate impression amongst the public in respect of a section of judiciary which was reflected by him as he wished to draw the public attention to that 'section of the judiciary which by its activities has shaken the peoples faith in the judicial process which has under-mined the dignity and prestige of the judiciary as a whole.'

8. The Respondent No, 1 has sought support from views expressed by Shri E. S. Venkataramiah, Former Chief Justice and Shri B. C. Basak, Former Chief Justice of Patna High Court both of whom had openly expressed their opinion about deteriorating standards of the judiciary.

In paragraph 10 of his affidavit he has said :-

'This deponent while addressing a Seminar referred only of those Judge who are reasonably and honestly believed to be indulging corrupt practices and a re-believed to be indulging even in reprehensible financial deals by abusing their position.'

9. There are other statements contained in the affidavit generally alleging that a Section of Judges were 'influenced' and not discharging their duties and

responsibilities in a manner befitting their office.

10. At the hearing the respondent No. 1 has submitted that he had not scandalized the judiciary. Furthermore it was emphasised that since he had not said what had been imputed to him by the Bartaman, the proceedings in Contempt would not lie. It was argued that it was not incumbent upon the respondent No. 1 to prove what he had said, but that it was for the Court to elicit the truth whether the statements on the basis of which the Rule had been issued had been uttered by the respondent No. 1. It was also sought to be urged that under Section 15(3) of the Contempt of Courts Act no particulars of the contemptuous act had been given. It was said that the Rule as served upon him was unclear as it was not stated with what contumacious conduct was the respondent No. 1 charged. It is urged that the only allegation was that derogatory remarks had been made. It was submitted that derogatory remarks do not constitute Contempt of Court.

11. It was urged by the respondent No. 1's Counsel that since his client had not committed contempt there was no question of his tendering any apology.

12. The respondents Nos. 2 and 3 have filed a joint affidavit affirmed by Shri Barun Sengupta, the Editor of Bartaman.

13. These respondents tendered their unconditional apology if the news complained of amounted to Contempt of Court. They also stated that they did not express any independent views but merely published views expressed by an important political leader and that the publication was made without any motive and was in the usual course of business. It was further said that similar article had published by other newspapers. The respondents Nos. 2 and 3 vehemently rebutted the submission of the respondent No. 1 that a distorted version of what had been said by the respondent No. 1 had been published in the Bartaman.

14. The power of the High Court to punish for contempt of itself is provided in the Constitution of this country. The preservation of this right in Article 215 is a recognition of the fundamental importance of protecting the judiciary and safeguarding the values it stands for and its free functioning. The task of ensuring such protection has been vested in the judiciary itself. The exercise of the power of

such self-protection in appropriate cases is essential for the maintenance of the structure of society as we know it in this land.

15. The substantive power of the High Court to punish for contempt is now provided, it may not be exhaustively, by the [Contempt of Courts Act, 1971](#) (hereafter referred to as the Act).

16. Regarding the submission of the respondent No. 1 regarding the non-compliance with Section 15(3) of the Act, the only complaint in this regard has been made at the hearing by the respondent No. 1. The complaint is unacceptable.

17. First, no such grievance has been made in the affidavit affirmed in answer to the Rule by the Respondent No. 1.

18. In any event the jurisdiction to punish for contempt under the Act is quasi criminal that is, resembling criminal proceedings but not the same as criminal proceedings. There is thus no requirement of a rigid formulation of charges particularly when the Rule is issued suo-motu. What is required under Section 15(3) of the Act is a specification of the Contempt.

19. The Rule issued has expressly referred to the statements in the article in the Bartaman. Admittedly the Rule and the copy of the Article were served on the contemnors. The statements in the article have been described as derogatory in the body of the Rule. Derogation means 'lowering in value or estimation, disparagement, depreciation' (The Shorter Oxford English Dictionary, 3rd Edn).

Criminal Contempt has been defined in Section 2(c) of the Act as meaning-

'the publication (whether by words, spoken or written, or by signs, or by visible representations, or otherwise) of any matter or the doing of any other act whatsoever which-

(i) scandalizes or tends to scandalize, or lowers or tends to lower the authority of, any court ;'

20. The charge of derogatory remarks is therefore clearly covered by the definition of Criminal Contempt in Section 2(c)(I) of the Act. The allegation in the Rule is sufficiently particular nor can there be any confusion as to the charge against the respondents.

21. That there has been publication in this case is not in dispute. What is also not in dispute is that the statements as reported in the Bartaman are contumacious.

22. Strictly speaking therefore this Court is not called upon to decide whether the statements as reported could warrant proceedings and punishment under the Act. However, regardless of the seriousness of the matter we do not rest our finding on the failure of the respondents to dispute the fact that the words complained of were contumacious.

23. The locus classicus on the law of contempt which has been quoted and followed by judges of courts in this country on innumerable occasions is the statement of the law by Lord Atkin in the case of *Andre Paul Terence Ambard v. Attorney General of Trinidad and Tobago* AIR 1936 PC 141. The allegedly contumacious act was an article published in a newspaper. A Rule nisi was issued on the editor of the newspaper. The Full Court held that the article was contumacious and accordingly punished the Editor with a fine and in default imprisonment. On appeal, the Privy Council allowed the appeal and said :

'The path of criticism is a public way : the wrongheaded are permitted to err therein provided that members of the public abstain from imputing improper motives to those taking part in the administration of justice, and are genuinely exercising a right of criticism and not acting in malice or attempting to impair the administration of justice, they are immune. Justice is not a cloistered virtue : she must be allowed to suffer the scrutiny and respectful even though outspoken comments of ordinary men.'

(Emphasis supplied)

This statement of the law still holds today.

24. The importance of the decision lies in the recognition of the fact

(i) that fair criticism of the judiciary is not contumacious; and

(ii) that imputation of motives to the judges is not fair criticism but a case of contempt.

25. The Privy Council in fact made explicit the law stated in the earlier decision of *Queen v. Gray*, (1900) 2 OB 36.

26. This view as to what is not 'fair criticism' was considered and approved by the Supreme Court in several decisions, some of which are noted.

27. In the case of *Aswini Kumar Ghosh v. Arabinda Bose* : AIR 1953 SC75 , a newspaper article had been written criticizing a decision of the Supreme Court. It was said that the Supreme Court had sought to achieve a purpose by straining the law. The imputation was that the Supreme Court had acted on extraneous considerations of politics and policies. The Supreme Court said that the statements transgressed the limits of fair and 'bona fide' criticism and had a clear tendency to affect the dignity and prestige of the Court because it attributed improper motives to the judges. This their Lordships of the Supreme Court found to be a gross Contempt of Court. It was said that if an impression was created in the minds of the public that the judges in the highest Court in the land acted on extraneous considerations in deciding cases, the confidence of the whole community in the administration of Justice is bound to be undermined and 'no greater mischief than that can possibly be imagined. '

28. In this case the imputation is of financial dishonesty. What could be more scandalous than accusing judges of bribery The repercussions of such an allegation and the damage to the judiciary by the destruction of public confidence in the institution would be calamitous. It is not a question of the personal reputation of judges but of the corrosive effect of such a virulent attack on one of three limbs of state.

29. The view that imputation of motives to the judges is not fair criticism but a case of contempt was reiterated in *E.M.S. Namboodiripad v. T. Narayan Nambiar* : 1970 CriLJ1670 where the allegation made by the then Chief Minister of Kerala that

judges were guided and dominated by class-prejudices, class-interests and class-hatred was held to be contumacious [See also in this context Perspective Publication (P) Ltd. and Anr. v. State of Maharashtra : 1971 CriLJ268 .

30. There can be no room for doubt that the statements in question impute motives of the grossest character to judges and are by that token. alone contumacious. The finding is not one based on judicial 'sensitiveness' but an objective assessment of expressions which euphemistically speaking, can only be termed as offensive.

31. Decisions have been cited in which contempt proceedings have been dropped in which the language used is apparently intemperate. But the reasons given for exonerating the respondents are inapplicable here.

32. In the case of S. Mulgaokar : AIR 1978 SC 727 the publication related to a supposed code of judicial ethics alleged to have been drafted by some Judges of the Supreme Court. The newspaper in question said

'So adverse has been the criticism that the Supreme Court Judges, some of whom had prepared the draft code, had disowned it.'

33. It was further suggested that the Supreme Court was packed by the former Prime Minister, Mrs. Gandhi, 'with pliant and submissive Judges except for a few.' Chief Justice Beg said that such comments suggesting that the Judges of the Supreme Court lacked moral courage to the extent of having disowned what they had done or in other words, to the extent of uttering what was untrue at least verged on contempt.

34. The Supreme Court said that a decision on the question whether the discretion to take action for Contempt of Court should be exercised in one way or the other must depend on the totality of facts and circumstances and dropped the proceedings in contempt because of 'the exceptional strain and stress and excitement' which was being passed through by the country in which 'unusual remarks made had not been confined to what appeared in the newspapers' (vide paragraph 13 of the report).

35. In the case of M.P. Parashar v. Dr. Farooq Abdullah : 1984 CriLJ337 proceedings in contempt were initiated against the Chief Minister of Jammu & Kashmir, the Editor of a newspaper called Daily Kashmir Times in which the allegedly contumacious matters were published and the correspondent of the concerned newspaper.

36. The Chief Minister stoutly denied having made the utterances. The newspapers stuck to the stand that the report was completely correct. The Court found that there was no pre-ponderating circumstances which objectively compelled acceptance of the word by one in preference to the word of the other. Accordingly the proceedings were dropped against the Chief Minister.

37. The respondent No. 1 has also denied having made the statements attributed to him by Bartaman and it is to be seen whether the defence stands. But it cannot be denied that the statements if made would be contumacious.

38. In the decision of the Supreme Court in P. N. Duda v. Sri P. Shiv Shankar and Ors. : 1988 CriLJ1745 respondent No. 1 to claim exoneration from the charge of contempt) the brunt of the statement made by the then Minister for Law, Justice & Company Affairs.

39. These statements were parts of a speech delivered before a meeting of the Bar Council. The Supreme Court found that the allegations made were not contumacious because according to the Supreme Court the Minister had merely examined the class composition of the Supreme Court and stated that the class composition indicated its predisposition, its prejudices. The Court found that the statement relating to anti-social elements etc. finding their haven in the Supreme Court was really a criticism of the law which allowed loopholes in the law to be exploited before the Supreme Court. The Supreme Court therefore felt that reading the speech of the Minister in its proper perspective the administration of justice had not been impaired.

40. In the case before us the statement is plainly said and there is no scope for seeing the statement that briefcases full of money are taken in the dead of night to the houses of judges in any other perspective. It is an articulated assertion of

dishonesty by judges, an assertion capable of unsettling the order of our society.

41. The decision of the Division Bench of the Bombay High Court in *Viskwanath v. Sri E.S. Venkatramaih* : 1990 Cr LJ 2179 has also been relied upon by the respondent No. 1. An application was filed against Sri E. S. Venkataramaih the Former Chief Justice of India alleging that the latter had committed gross and unwarranted contempt of Court by certain statements made in the course of an interview published in two newspapers. The statement attributed to Sri E. S. Venkatramaih was made when he was the Chief Justice of India.

42. The Bombay High Court dismissed the application both on the ground of maintainability as, well as on merits. It is not necessary to consider the question of maintainability as it is not material. Even on the question of merits the decision of the Bombay High Court turned on its own facts. It was held that the interview appeared to have been given with an idea to improve the judiciary. The decision of the Bombay High Court was based on the fact that the person making the remarks was the senior most member of the Judiciary himself. The statements were not seen as an attack from without but as an attempt at correction from within. The decision is factually distinguishable.

43. Thus even on the basis of 'precedentially validated principles' it must be held that the statements as reported in the *Bartaman* amount to contempt.

44. That being established as far as the respondent No. 1 is concerned, the question is did he make the statement as reported ?

45. We are unable to accept the submission on behalf of the respondent No. 1 that the contempt proceedings were liable to be dropped on the basis of his mere assertion that he had not made the statements as reported in '*The Bartaman*.' No doubt it is for the Court to elicit the truth of his assertion but the Court will arrive at a finding on the basis of the material before it. It may be that there is no presumption that a newspaper report is correct but it is equally true that there is no presumption of the falsity of a newspaper report. Thus a newspaper report may be relied on for the purpose of initiating proceedings in contempt but not for proving the contumacious conduct.

46. In this case, on the one hand, the newspaper report has been supported by the affidavit of the Editor and publisher who have affirmed the correctness of the report. On the other hand, the respondent has affirmed that the reporting was incorrect. It is not the respondent No. 1's case that he had made no statement at all regarding the judiciary. His submission has been that the version printed in the Bartaman was incorrect.

47. Counsel for the respondent No. 1 submitted that the respondent No. 1 was under no obligation to say what according to him was the correct version. This submission overlooks the need for a person called upon to answer a Rule issued in contempt to establish what he asserts in his defence. In order to assess whether a version is distorted or not as alleged by the respondent No. 1, the correct version would have to be put before the Court. Also the respondent No. 1 himself has craved leave to refer to the 'correct' versions in The Statesman and Aajkaal and to treat those as part of his affidavit.

48. The reporting in the 12th December of 1993 issue of Aajkaal has set out the incident prominently on the first page. The article roughly translated is:

'BIMAN : IN THE DARKNESS OF NIGHT MONIES GIVEN TO SOME JUDGES

The CPM Leader, Mr. Biman Bose has made an accusation that in the darkness of night some Judges accept briefcases full of money. This accusation was made on Saturday by Biman Babu at the Nilratan Sarkar Medical College in front of a roomful of Doctors. At a conference arranged by the Government Health Services Doctors, Biman Babu had put forward the opinion of the State CPM Leadership. The main object of the discussion was whether the Doctors were subject to recently well discussed Consumer Protection Law. There, Biman Babu said, I have heard that the Rule Makers are going to judge the doctors. Where the accusation relates to treatment how can the Judges understand, they are not doctors? Only the medical experts can judge the issue. Besides, according to the lawyers, it would be suspicious if professions were kept outside that Act. If the Railways or other services are not brought under that Act how can the customers be protected? Even persons there are cheated. In the midst of this Biman Babu uttered the sentence regarding the carrying of briefcases full of money to the

houses of Judges. His question in this regard is 'who is going to judge these persons?' After this he himself talked about the contempt of Court. He said, if for saying this, I am accused of committing contempt of Court, let it be so.'

49. The report in The Statesman relied upon by the respondent No. 1 is contained in the issue dated 14th December 1993 i.e. 3 days after the Conference of the doctors. The Statesman reported that the Division Bench of the Calcutta High Court would pass an order on the report that Judges took money and let off hardened criminals. It was said that submissions had been made before the Division Bench that the statement was contemptuous and that a suo motu contempt rule should be issued. The relevant portion of the report is contained under the heading 'our staff reporter adds' and reads:

'Meanwhile, when asked for comment, Mr. Biman Bose told The Statesman on Monday that his statements were not aimed at the judiciary in general. 'I had said that some of the Judges were corrupt. I did not mean that all the Judges were engaged in corrupt practices', he said.

When asked whether he had any evidence to substantiate his statement, Mr. Bose replied in the negative and said that his comment was based on similar allegations made by the common people. 'The people have lost the faith they had earlier in the judiciary,' he said.'

50. Significantly as reported in the Statesman, the Respondent No. 1 when called upon to comment on the basis of the Courts action, did not deny having made the comment. Indeed no formal denial was issued by the Respondent No. 1 that he had been misquoted, at any stage. The Respondent No. 1 in his affidavit has also not come out with a clear denial. As far as the words quoted in Aajkaal are concerned, we see no difference with the objectionable statements as reported in the Statesman. On the material before us we have no hesitation in holding that the Respondent No. 1 did make the statement regarding the financial impropriety of judges, attributed to him.

51. The Respondent No. 1 has said that the allegation had been made only against a section of the Judges. Even if this were true, we do not think that this is a

material distinction. The contumacious nature of the allegation, must be considered irrespective of the number of Judges referred to. An allegation against a single Judge is sufficient.

52. In *Perspective Publication (P) Ltd. and Anr. v. State of Maharashtra*, : 1971 CriLJ268 , an article in a newspaper implied that a suit which had been heard by the Learned Judge had been decreed in favour of a person who had been instrumental in giving benefits to close relatives of the Learned Judge. Although the article referred to the unimpeachable integrity and reputation of the Judges of the Bombay High Court, on the basis of the article, contempt proceedings were initiated and the respondent found guilty of contempt and punished.

53. The Respondent No. 1 then submitted that similar allegations had been made by the former Chief Justice of India and the former Chief Justice of Patna High Court. This is no answer to the Rule. Merely because action may not have been taken against these persons does not mean that the allegations in question are not contumacious. Furthermore, these matters are not before this Court, nor can the Court proceed on the assumption that the statements alleged were in fact made, without the persons concerned being heard in their defence.

54. It is not open to the Respondent No. 1 to claim any licence to vilify Judges because allegedly similar allegations have been made by others.

55. The Respondent No. 1 has said that he had no intention to scandalize the judiciary. The intention to commit contempt is irrelevant to the question of guilt but may be relevant to the question of punishment. This view is supported by authority.

56. The decision in *Queen v. Gray* (supra) related to a case where an article of scurrilous abuse of a Judge in his character of a judge was published in a newspaper. The journalist said that he had not deliberately intended to discredit the Judge in question and that the article was the outcome of his strong feelings. He apologized to Court for his conduct. The Court held him guilty and punished him with a fine and imprisonment.

57. In EMS Namboodiripad's case (supra) in answer to the rule, the Chief Minister said that the statement was and that he had no intention to criticize any particular Judge. The Supreme Court rejected the submission and said that the allegations drew a very distorted and poor picture of the judiciary. It was an attack upon judges which was calculated to raise in the minds of the people a general dissatisfaction with and distrust of all judicial decisions and undermined the authority of law and law Courts. The Supreme Court said that the fact that the Chief Minister did not intend any such result would be relevant in considering the sentence to be imposed but could not serve to justify his conduct.

58. For the reasons stated we constrained to hold that the respondent No. 1 is guilty of contempt. We are also of the view that we cannot exonerate the respondents 1 and 2 from the charge. Neither of them have said that they did not know what had been printed. By disseminating the contumacious material the respondents have brought themselves squarely within the definition of Criminal Contempt in Section 2(c)(i) of the Act. The liability is absolute and strict.

59. This brings us to the question of punishment. The Respondent No. 1 has pleaded lack of intention. But as stated by the Supreme Court In Re : S. Mulgaokar (supra) at paragraph 12 of the Respondent

'The question whether an attack is malicious or ill intentioned, may be often difficult to determine, yet the language in which it is made, the fairness, the factual accuracy, the logical soundness of it, the care taken in justly and properly analysing the materials before the maker of it, are important considerations.'

60. In this case the respondent No. 1 had made no attempt to check the factual accuracy of what he said. In the issue of The Statesman relied upon by him he says expressly that he had no evidence in support of the allegations made by him. The respondent No. 1 holds an important political post-a post which carries with it the obligation to make statements with responsibility. As said in the case of Farooq Abdullah (supra):

'The defence that what was said of done was not intended is not open to persons occupying high public offices.'

61. The respondent No. 1 was fully conscious that the allegations made were contumacious. This is clear from the report in Aajkaal relied on by him. The attitude which was one of defiance when the allegations were made, was not toned down at the hearing. Nor can the Respondent No. 1's submission that he held the institution of the judiciary in high esteem detract from his contumacious conduct. It is a meaningless assertion when it is coupled with imputations of impropriety and lack of integrity. No contrition was shown by him either in his affidavit or at the hearing. The Respondent No. 1 has acted with a lack of circumspection which ill befits a person holding a position of such public importance. The irresponsibility has been compounded by the Respondent No. 1's scorn of the consequences.

62. By holding the Respondent No. 1 guilty of contempt this Court is seeking to protect the judicial edifice which is vital for the survival of an ordered society and the rule of law. As observed by Lord Simon in *A.G. v. Times Newspapers* (1974) AC 273 at 315 (H) :

'The law of contempt of court is a body of rules which exists to safeguard another, quite different, institution of civilised society. It is the means by which the law vindicates the public interest in due administration of justice-that is, in the resolution of disputes, not by force or by private or public influence, but by independent adjudication in courts of law according to an objective code. The alternative is anarchy.....'

63. The respondents Nos. 2. and 3 have apologised for their action at the very outset. Considering that and the fact that they were not the originators as it were of the contumacious conduct, we are inclined to accept the apology as a mitigating circumstance in their favour and to pardon them for the actions complained of.

64. For the reasons stated we make the Rule absolute as far as each of the respondents are concerned. The Respondent No. 1 is fined Rs. 1,000 to be paid to the State Government within one month. No sentence is however imposed on the Respondents No. 2 and 3.

65. Before concluding we would like to record our appreciation for the invaluable assistance given to Court by Mr. S. K. Kapur, as the amicus curiae.

4-8-94 (Later)

Prayer for stay of operation of the judgment delivered today is granted for a period of six, weeks from date.

Let xerox copy of the judgment dated 4.8.94 above along with this order be supplied to the learned Counsel for the parties on usual charges and undertaking.

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