

GAHC040018472025

2025:GAU-AP:1298-DB



THE GAUHATI HIGH COURT
(THE HIGH COURT OF ASSAM: NAGALAND: MIZORAM AND
ARUNACHAL PRADESH)

ITANAGAR PERMANENT BENCH

P.I.L. NO. 18 (AP) OF 2025

BHARAT CHEDA

... PETITIONER

VERSUS

THE STATE OF ARUNACHAL PRADESH

& 2 ORS.

... RESPONDENTS

BEFORE

HON'BLE MR. JUSTICE KALYAN RAI SURANA
HON'BLE MR. JUSTICE PRANJAL DAS

For the petitioner

: Mr. T. Pertin, Advocate.

For State respondent Nos.1 & 3

: Mr. S. Tapin, Senior Govt. Advocate.

For respondent No.2

: Ms. N. Anju.

Date on which judgment is reserved : 13.11.2025

Date of pronouncement of judgment : 20.11.2025

**Whether the pronouncement is of
the operative part of the judgment? : No**

**Whether the full judgment has been
Pronounced : Yes**

JUDGMENT AND ORDER**(CAV)**

(K.R. Surana, J)

Heard Mr. T. Pertin, learned counsel for the petitioner. Also heard Mr. S. Tapin, learned Senior Govt. Advocate for respondent nos. 1 and 3; and Ms. N. Anju, learned standing counsel for the respondent no.2.

2) By filing this Public Interest Litigation under Article 226 of the Constitution of India, the petitioner, namely, Bharat Cheda, has assailed the letter dated 22.12.2025 [28.12.2025], issued by the Deputy Commissioner, Itanagar Capital Region, by which post of Mayor of Itanagar Municipal Corporation was reserved for women; and to direct the State Election Commission to conduct the election for the post of Mayor of Itanagar Municipal Corporation without reserving the post for women.

3) The learned counsel for the petitioner has submitted that the proviso to Sub-section (1) of Section 53 of the Arunachal Pradesh Municipal Corporation Act, 2019, prescribes that post of Mayor can only be reserved for Scheduled Tribes women by rotation or by drawing of lots only in the manner prescribed. It has been submitted that this would necessarily mean that the prescription regarding "manner" must be prescribed by the Legislature and thus, it was not permissible for the Deputy Commissioner to have the post of Mayor of Itanagar Municipal Corporation reserved for women and filled up by draw of lots at his own volition.

4) By referring to the cases of *Sri Khereshwar Mahadev Va Dauji Maharaj Samiti, Aligarh v. The State of Uttar Pradesh & Ors., SLP (Crl.) Nos. 13258-13259/2024*, decided on 05.03.2025, it has been submitted that in the said

recent case, the principles laid down in the case of *Nazir Ahmed* has been followed to the effect when law requires a particular thing to be done in a particular manner, it has to be done in that manner alone or not at all. It has been submitted that the same ratio has been followed by the Supreme Court of India in the case of *Babu Verghese v. Bar Council of Kerala*, (1999) 3 SCC 422, and *State of Jharkhand v. Ambay Cements & Anr.*, (2005) 1 SCC 368.

5) It was further submitted that the notice to convene meeting was issued under Section 15(1) of the Arunachal Pradesh Municipal Corporation Act, 2019 and not under Section 53(1) thereof, therefore, the meeting for election of the Mayor is also bad in law and illegal.

6) The learned Senior Govt. Advocate has opposed the prayers made in this PIL and has prayed for dismissal of the PIL. In support of his submissions, reliance has been placed on the following cases, viz., *Sonvir @ Somvir v. State (NCT of Delhi)*, (2018) 8 SCC 24, and *Surinder Singh v. Central Government & Ors.*, (1986) 4 SCC 667.

7) In this case, a short returnable notice was issued by order dated 01.11.2023. Accordingly, the learned Senior Government Advocate has produced a bunch of documents, copy of which has been served on the learned counsel for the petitioner.

8) Having examined the statements made in this PIL and having heard both sides, the following points of determination have arisen for consideration in this case:-

- i. Whether the petitioner has raised any issue of public interest in this PIL?
- ii. Whether the Meeting to elect a Mayor for the Itanagar

Municipal Corporation was duly convened?

iii. Whether the manner in which reservation of the post of Mayor for Itanagar Municipal Corporation for women warrants examination and interference in this PIL?

Point of determination no. 1:

9) In this case, the petitioner is not an elected Councillor. The petitioner has not brought on record any material from which it can be gathered that any grievance had been raised by any of the elected Councillors complaining that the manner in which reservation of women for the post of Mayor of Itanagar Municipal Corporation was made or regarding the manner in which the Mayor has been elected. The Councillors had the scope and forum to raise objection against the manner in which the communication dated 22.12.2025 [28.12.2025], impugned in this PIL had been issued by the Deputy Commissioner, Itanagar Capital Region, by which post of Mayor of Itanagar Municipal Corporation was reserved for women. However, the petitioner has not brought any material on record that the elected Councillors had questioned the same in a manner envisaged under the law applicable for them. Therefore, the petitioner cannot be said to be raising any issue which can be said to be an issue relating to any public interest. Accordingly, the point of determination no. (i) is answered accordingly in the negative and against the petitioner.

Second and third point of determination:

10) The second and third points of determinations are taken up together. In this regard, the grievance of the petitioner is that notice convening meeting was issued under Section 15(1) of the Arunachal Pradesh Municipal Corporation Act,

2019 and not under Section 53 (1) as required by the said Act. In this regard, the Court is of the considered opinion that the letter dated 22.10.2025, issued by the Deputy Commissioner, Itanagar merely conveyed the decision of the Government to hold General Election to the Itanagar Municipal Corporation in the month of December, 2025, and the said authority was required to reserve seats for women in accordance with relevant Act and Rules. Therefore, reservation of one-third out of the total number of seats of the Corporation was reserved for women in exercise of power under Section 15(1) of the Arunachal Pradesh Municipal Corporation Act, 2019. The provision of Section 15(1) and 15(2) and 53(1) of the said 2019 Act are quoted below:-

15. Reservation of seats of Councillors: (1) *All Seats shall be reserved for persons belonging to Arunachal Pradesh Scheduled Tribes in the Corporation;*

(2) *One-third out of the total number of seats, reserved under sub-section (1), shall be reserved for women belonging to the Arunachal Pradesh Scheduled women Tribes.*

53. Election of Mayor, Deputy Mayor and their term of office: (1) *The Corporation shall at its first meeting and thereafter at the expiration of every two and half years, elect one of its Councillors to be the Chairperson to be known as the Mayor and another Councillor to be the Deputy Mayor of the Corporation:*

Provided that the office of the Mayor shall be reserved for the Arunachal Pradesh Scheduled Tribes Women; by rotation or by lots in the manner prescribed.

11) By the hereinbefore referred circular dated 22.10.2025, it was conveyed that the reservation will be determined by drawing of lots at Pare Hall of DK State Convention Centre, Itanagar at 1100 hours on 28.10.2025 (Tuesday). In this regard, the grievance of the petitioner is that the meeting was not convened for reservation of post of Mayor, because Section 15(2) is meant for reservation for the posts of Councillors, but proviso to Section 53(1) applies for reservation of post of Mayor for the Municipal Corporations.

12) In this case in hand, though the learned counsel for the petitioner has sought to project that incorrect provision of law had been mentioned in the letter dated 22.10.2025, but it does not appear to be so. This would be evident from the contents of the said letter of intimation dated 22.10.2025, which is quoted below:-

**GOVERNMENT OF ARUNACHAL PRADESH
OFFICE OF THE DEPUTY COMMISSIONER
CAPITAL: ITANAGAR**

No DC/Capital/Election-01/Municipal/2025

Dated 22nd October 2025

To,
The Commissioner,
Urban Affairs
Govt. of Arunachal Pradesh
Itanagar

Sub - Intimation for notification of reservation of seat for women in connection to forthcoming election to Municipal wards in Itanagar Municipal Corporation-reg.

Ref:-E-file No.DULB-14014/1/2025/1219-24 Dtd. 22nd of October 2025.

Sir,

I am directed to inform that, in reference to letter no. above, from the Directorate of Urban Local Bodies informing that State Election Commission is contemplating to hold the General Elections to the Itanagar Municipal Corporation in the month of November 2025, for which reservation of seats for women to be determined as per provision of Acts & Rules for further notification by the Government.

Therefore, in accordance with Section 15 (2) of the Arunachal Pradesh Municipal Corporation Act 2019, under the chairmanship of Deputy Commissioner-cum-District Municipal Election Officer, a meeting to determine reservation of seats by draw of lots for women belonging to the Arunachal Pradesh Schedule Tribe for 20 (Twenty) Municipal Wards under Itanagar Municipal Corporation was held on 28/10/2025 in Para Hall of the State Convention Centre, Itanagar from 11:00 hrs. After draw of lot following wards are reserved for women for Municipal Election 2025:-

(A) Municipal Wards/Corporators

Sl. No	Name of Ward	Remarks
1.	5 (Five)	Reserved for Women (APST) To be notified by Govt
2.	13 (Thirteen)	
3.	1 (One)	
4.	18 (Eighteen)	
5.	7 (Seven)	
6.	20 (Twenty)	
7.	8 (Eight)	

(B) Post of Mayor:-

Sl. No.	Term	Remarks
1.	5 (Five) Years	Reserved for Women (APST) under Section 53 (I) of APMC Act 2019 r/w Section 1 (ii) of APMC (Amendment) Act 2021 for information

This is for information and necessary notification please.

Yours sincerely

Enclo: i). Board Proceeding for reservation of Women (APST), for Municipal Wards/Corporators.

(Khoda Lasa) AC (Election)

For Deputy Commissioner

ii). Board Proceeding for reservation of Women (APST) in Mayor post.

Capital, Itanagar

Memo No DC/Capital/Election-01/Municipal/2025

Dated 22nd October 2025

Copy to -

1. The Secretary, State Election Commission, Itanagar for information
2. The Secretary, Urban Affairs, Govt. of Arunachal Pradesh, Itanagar for information
3. The Director, ULB, Govt. of Arunachal Pradesh, Itanagar for information
4. Office copy

(Khoda Lasa) AC (Election)

For Deputy Commissioner
Capital, Itanagar

13) The aforesaid intimation is in two parts, i.e. (A) and (B), which for the sake of convenience and clarity is hereinafter referred to as Part-A and Part-B. While Part-A deals with the Municipal Wards Corporators, Part-B deals with posts of Mayor. The third column of Part-B contains remarks to the effect that *"Reservation for Women (APST) under Section 53(1) APMC Act, 2019 r/w Section 7(ii) of the APMC (Amendment) Act, 2021 for information."*

14) Thus, the submission of the learned counsel for the petitioner that reservation has been carved out of incorrect application of law, i.e. by applying Section 15(1) of 2019 Act, appears to be wholly misconceived. The reservation for the post of Mayor appears to be inconsonance with Proviso to Section 15(1) of the 2019 Act. The learned counsel for the petitioner has not been able to satisfy the Court that the reservation of the post of Mayor for Women is contrary to the provisions of Article 243-T (4) of the Constitution of India.

15) Be that as it may, the petitioner is found to have suppressed material fact that in an earlier occasion, draw of lots was conducted for appointment to the post of Mayor. With the permission of the Court the learned Senior Government Advocate has placed on record a copy of the "Board Proceeding Report" bearing Memo No. DC/ICC/MUN ELN-07/2020 dated 05.03.2020, thereby notifying "Result of Draw of Lot for Mayor of Itanagar Municipal Corporation", *inter alia* determining the tenure of the Office of Mayor for male and female under the said Itanagar Municipal Corporation after draw of lots under Section 53(1) of 2019 Act. The learned Senior Government Advocate had made a specific statement to the effect that three out of the elected Councillors had got tickets

to offer their candidature for the post of Mayor, out of which two candidates were male and by applying 33% reservation, 1 (one) candidate was women. The tenure of appointment was 2.5 years. Thereafter, by way of a "Board Proceeding Report" bearing Memo No. DC/Capital/Election-01/ Municipal/2025 dated 28.10.2025, had been convened, envisaging "Result of Draw of Lot for Mayor of Itanagar Municipal Corporation", *inter alia* determining the tenure of the Office of Mayor for male and female under the said Itanagar Municipal Corporation after draw of lots under Section 53(1) of 2019 Act. This time, two tickets were available, one for male and one for female, which means that one male ticket has been dispensed with because a male had been holding the post of Mayor.

16) Therefore, the procedure of "draw of lots" as envisaged under Proviso to Section 53(1) was hitherto followed in the previous selection for the post of Mayor in the year 2020. This fact is totally suppressed by the petitioner for reasons best known to him.

17) In the absence of any Act of State Legislature, as the Proviso to Section 53(1) of the 2019 Act, contains the prescription of reservation for Women for the post of Mayor, which had hitherto been followed in the Itanagar Municipal Corporation, a repetition of the said process cannot be held to be bad either in law or on facts.

18) If the Act provides for a certain procedure, in the absence of Rules, the action required to be taken by the Executive is not dependent on the framing of Rules or procedure. In this regard, it would be appropriate to refer to paragraph 6 and 7 of the case of *Surinder Singh (supra)*, cited by the learned Senior Government Advocate, which are quoted below:-

6. *The High Court has held that the disposal of property forming part of the compensation pool was "subject" to the rules framed as contemplated by Sec. 8 and 40 of the Act and since no rules had been framed by the Central Govt. with regard to the disposal of the urban agricultural property forming part of the compensation pool, the authority constituted under the Act had no jurisdiction to dispose of urban agricultural property by auction sale. Unless rules were framed as contemplated by the Act, according to the High Court the Central Govt. had no authority in law to issue executive directions for the sale and disposal of urban agricultural property. This view was taken, placing reliance on an earlier decision of a Division Bench of that Court in "Bishan Singh v. Central Govt." (1961) 63 Pun LR 75. The Division Bench in Bishans case took the view that since the disposal of the compensation pool property was subject to the rules that may be made, and as no rules had been framed, the Central Govt. had no authority in law to issue administrative directions providing for the transfer of the urban agricultural land by auction sale. In our opinion the view taken by the High Court is incorrect. Where a statute confers powers on an authority to do certain acts or exercise power in respect of certain matters, subject to rules, the exercise of power conferred by the statute does not depend on the existence of Rules unless the statute expressly provides for the same. In other words framing of the rules is not condition precedent to the exercise of the power expressly and unconditionally conferred by the statute. The expression "subject to the Rules" only means, in accordance with the rules, if any. If rules are framed, the powers so confirmed on authority could be exercised in accordance with these rules. But if no rules are framed there is no void and the authority is not precluded from exercising the power conferred by the statute. In "T. Cajee v. U. Jormanik Siem" (1961) 1 SCR 750, the SC reversed the order of the High Court whereby the order of District Council removing Siem, was quashed by the High Court on the ground that the District Council had not framed any rules for the exercise of its powers as contemplated by para 3(1)(g) of 6th Schedule to the Constitution. The High Court had taken the view that until a law as contemplated by para 3(1)(g) was made there could be no question of exercise of power of appointment of a Chief or Siem or removal either Setting aside the order of the High Court, a Constitution Bench of this Court held that the administration of the District including the appointment or removal of Siem could not come to a stop till regulations under para 3(1)(g) were framed. The View taken by the High Court that there could be no appointment or removal by the District Council without framing of the Regulation was set aside. Similar view was taken by this court in B. N. Nagarajan v. State of Mysore (1966) 3 SCR 682, Mysore State Road Transport Corporation v. Gopinath (1968) 1 SCR 767. In U.P. State Electricity Board v. City Board Mussoorie (1985) 2 SCR 815, validity of fixation of Grid Tariff was under challenge. Section 46 of the Electricity (Supply)*

Act, 1948 provides that tariff known as the Grid Tariff shall be fixed from time to time in accordance with any regulations made in that behalf. Section 79 of the Act conferred power on the Electricity Board to frame regulations. The contention that Grid Tariff as contemplated by Sec. 46 of the Electricity (Supply) Act could not be fixed in the absence of any regulations laying down for fixation of tariff, and that the notification fixing tariff in the absence of such Regulations was illegal was rejected and this Court observed -

"It is true that Sec. 79(h) of the Act authorises the Electricity Board to make Regulations laying down the principles governing the fixing of Grid Tariffs. But S. 46(1) of the Act does not say that no Grid Tariff can be fixed until such regulations are made. It only provides that the Grid Tariff shall be in accordance with any Regulations and nothing more. We are of the view that the framing of regulations under Sec. 79(h) of the Act cannot be a condition precedent for fixing Grid Tariff."

7. *As noted earlier Ss. 8 & 20 of the Act provide for payment of compensation to displaced persons in any of the forms as specified including by sale to the displaced persons of any property from the compensation pool and setting off the purchase money against the compensation payable to him. Sec. 16 confers power on the Central Govt. to take measures which it may consider necessary for the custody, management and disposal of the compensation pool property. The Central Govt. had therefore ample powers to take steps for disposal of pool property by auction sale and for that purpose it had authority to issue administrative directions. Sec. 40(2)(j) provides for framing of rules prescribing procedure for the transfer of property out of the compensation pool and the adjustment of the value of the property so transferred against the amount of compensation. Neither Sec. 8, 16, 20 or Sec. 40 lays down that payment of compensation by sale of the pool property to a displaced person shall not be done unless rules are framed. These provisions confer power on the Central Government and the authorities constituted under the Act power to pay, compensation to displaced persons by sale, or allotment of pool property to them in accordance with rules. if any. Framing of rules regulating the mode or manner of disposal of urban agricultural property by sale to a displaced person is not a condition precedent for the exercise of power by the authorities concerned under Ss. 8, 16 and 20 of the Act. If the legislative intent was that until and unless rules were framed power conferred on the authority under Ss. 8, 16 and 20 could not be exercised, that intent could have been made clear by using the expression "except in accordance with the rules framed" a displaced person shall not be paid compensation by sale of pool property. In the absence of any such provision the framing of rules could not be a condition precedent for the exercise of power.*

19) In the case of *Sonvir (supra)*, it has been held that unless Rules are framed the power conferred under the Act cannot be exercised, will not be in consonance with the very purpose for which Section 4 of the Identification of Prisoners Act, 1920 was enacted. The said observation would mean that the purpose of the Act cannot be frustrated merely because Rules has not been framed. Paragraphs 65 to 69 of the case of *Sonvir (supra)*, are quoted below:-

65. *It is necessary to refer to a Three Judge Bench judgment of this Court in Shankaria vs. State of Rajasthan (supra). This Court in the above case had occasion to notice Section 4 and Section 5 of the 1920 Act where submission was raised before this Court that specimen of thumb impression of the appellant having not been obtained before the magistrate they cannot be relied. The argument was repelled by this court and following was laid down in paras 83 and 84:*

“83. Mr Gambhir next contends that in view of Section 5 of the Identification of Prisoners Act, it was incumbent on the police to obtain the specimen thumbimpressions of the appellant before a Magistrate, and since this was not done, the opinion rendered by the Finger Print Expert, Mr. Tankha, by using those illegally obtained specimen finger-impressions, must be ruled out of evidence.

84. The contention appears to be misconceived because in the State of Rajasthan, the Police were competent under Section 4 of the Identification of Prisoners Act, to take the specimen fingerprints of the accused, and this they did, in the instant case, before the Superintendent of Police, Shri K.P. Srivastava. It was not necessary for them to obtain an order from the Magistrate for obtaining such specimen fingerprints.”

66. *The three Judge Bench clearly held that it was not necessary for the Police officer to obtain an order from a Magistrate for obtaining specimen of fingerprints. Law laid down by three-Judge Bench judgment is thus clearly applicable in the present case.*

67. *One of the reasons given by Full Bench of Delhi High Court in Sapan Haldar case was that there being no rules or executive instructions prescribing a manner of taking of fingerprints, Police Officer cannot exercise the power under Section 4. We need to dwell this aspect little more. The word prescribed has been defined under Section 2(c) as "prescribed means prescribed by rules made under this Act". Section 8 empowers the State Government to make rules for the purpose of carrying into effect the provisions of the Act. Section 8 is as follows:*

“8. Power to make rules.-

(1) The State Government may, 1[by notification in the Official Gazette,] make rules for the purpose of carrying into effect the provisions of this Act.-

(1) The State Government may, 1[by notification in the Official Gazette,] make rules for the purpose of carrying into effect the provisions of this Act."

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for-

(a) restrictions on the taking of photographs of persons under section 5;

(b) the places at which measurements and photographs may be taken;

(c) the nature of the measurements that may be taken;

(d) the method in which any class or classes of measurements shall be taken;

(e) the dress to be worn by a person when being photographed under section 3; and

(f) the preservation, safe custody, destruction and disposal of records of measurements and photographs.

[(3) Every rule made under this section shall be laid, as soon as may be after it is made, before State Legislature.]”

68. *Whether the power of the Police Officer under Section 4 cannot be exercised till the State make rules under Section 8? The appellant supporting the judgment of the Delhi High Court contends that since Section 4 uses the words “allow his measurement to be taken in the prescribed manner”, unless there is a prescribed manner by the rules fingerprints cannot be taken. The power of the State given under Section 8 to frame rules is an enabling power. The word used under Section 8 is, the State Government “may”. Can it mean that till the rules are framed by the State, power under Sections 3 and 4 cannot be exercised? The power given to the Police Officer to ask a person arrested to give his measurements is a substantive power. This power is hedged by the condition that such measurement has “to be taken in the prescribed manner” if there is any prescribed manner that cannot be breached by such Police Officer. Taking of the measurements in the prescribed manner is a procedural part of the Section which does not affect the substantive power of the Police Officer to ask an accused who is under arrest to give his measurement.*

69. *In event, it is held that unless the rules are framed under Section 8 power under Section 4 cannot be exercised that will not be in consonance with the very purpose and object for which Section 4 has been enacted. The submission of the appellant further is that when there is no rule framed providing prescribed manner for taking fingerprints, resort to Section 5 has to be taken by IO. Section 5 is a separate power given to Magistrate. The power of the Magistrate is an additional and separate power to secure ends of justice for purpose of investigation and*

proceedings under Code of Criminal Procedure. It may be exercised even in a case where after arrest Police Officer has not taken fingerprints of an accused. But, it cannot be held that power under Section 4 can be exercised by the Police Officer only after obtaining an order under Section 5.

20) Thus, from the decision of the Supreme Court of India in the case of case of *Surinder Singh (supra)* and *Sonvir (supra)*, the Court is inclined to hold that that decision taken by the Deputy Commissioner, Itanagar Capital Complex, to prescribe for reservation of the post of Mayor for Women, cannot be said to be beyond the scope of the provision of proviso to Section 53(1) of the 2019 Act and therefore, merely because the State Legislature has not framed the procedure, would not be a good ground to annul the impugned intimation letter bearing Memo No. DC/Capital/Election-01/ Municipal/2025 dated 22.10.2025 (Annexure-6), issued by the AC (Election), for Deputy Commissioner, Capital, Itanagar, amongst others, to announce reservation of the post of Mayor, Itanagar Municipal Board for women.

21) In light of the decisions in the case of *Surinder Singh (supra)* and *Sonvir (supra)*, the case of (i) *Sri Khereshwar Mahadev Va Dauji Maharaj Samiti, Aligarh (supra)*, (ii) *Babu Verghese (supra)*, and (iii) *Ambay Cements (supra)*, cited by the learned counsel for the petitioner does not help the petitioner in any manner.

22) Therefore, the second point of determination is also answered in the affirmative and against the petitioner by holding that there is no material before the Court to hold that the meeting to elect a Mayor for the Itanagar Municipal Corporation was not duly convened.

23) In light of the discussions above, the Court is also inclined to decide the third point of determination in the negative and against the petitioner by holding

that the manner in which reservation of the post of Mayor for Itanagar Municipal Corporation for women does not warrant any examination and/or interference by this Court. Accordingly, the PIL is liable to be dismissed.

24) Moreover, as the petitioner in this PIL has not come to Court with clean hands by disclosing all material facts and for concealing the fact that in an earlier occasion, vide Board Proceeding Report, bearing Memo No. DC/ICC/MUN ELE-07/2020 dated 05.03.2020, the result of election of Mayor of Itanagar Municipal Corporation was declared by draw of lots. Therefore, the Court is inclined to dismiss this PIL on the ground of suppression of material facts with intent to conceal material fact from this Court.

25) Therefore, this PIL is dismissed at the motion stage, without issuance of notice on the respondents. However, for suppression of material facts, the petitioner, namely, Bharat Cheda is ordered to pay a cost of Rs.10,000/- (Rupees Ten thousand only) to the Itanagar Municipal Corporation within a period of one month, failing which, it would be permissible for the Itanagar Municipal Corporation to recover the same in accordance with law. Upon realisation of such cost, the same shall be kept in a fund to be utilized for disaster management purposes.

26) The 8 (eight) sheets of instructions produced by the learned Senior Government Advocate is kept as a part of the record.

27) To sum up, the PIL is dismissed with cost.

JUDGE

JUDGE

Comparing Assistant