

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
WRIT PETITION (C) NO. 908 OF 2021

IN THE MATTER OF:

SYED WASEEM RIZWI

... PETITIONER

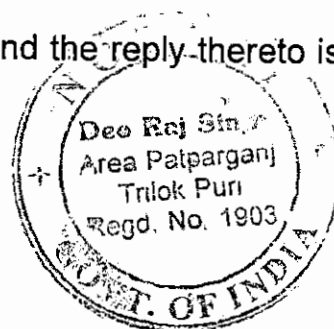
Versus

ELECTION COMMISSION OF INDIA & ANR. ... RESPONDENTS

COUNTER AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1

I, Amit Kumar, S/o Shri Man Mohan Kumar Singh, aged 44 years, Secretary, Election Commission of India, having office at Nirvachan Sadan, Ashoka Road, New Delhi - 110001, do hereby solemnly affirm and state as under:

1. I am the Secretary, Election Commission of India and as such am well acquainted with the facts and circumstances of the case and competent to affirm the present counter affidavit on behalf of the Respondent No. 1 ("the Answering Respondent").
2. I state that I have read and understood the contents of the List of Dates, Writ Petition and Application(s) and the reply thereto is as under.



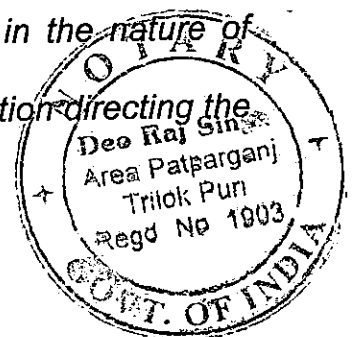
3. At the outset, I deny all the averments, submissions, contentions as well as the allegations contained in the present Writ Petition to the extent they relate to the Answering Respondent, save and except those that are expressly and specifically admitted hereinafter and no para in the present Writ Petition, which is not expressly dealt with hereunder shall be deemed to be admitted and the Answering Respondent craves leave of this Hon'ble Court to reply to those paragraphs during the course of arguments, as may be necessary.

**PRELIMINARY SUBMISSIONS:**

4. At the outset, the Answering Respondent craves leave of this Hon'ble Court to make preliminary submissions relevant to the subject matter of the present Writ Petition as under:-
- 4.1 It is submitted that the present Writ Petition under reply has been filed by the Petitioner herein under Article 32 of the Constitution of India, seeking the following reliefs:-

*"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to:*

- a) *Issue an appropriate Writ, order or direction in the nature of mandamus or any other appropriate Writ or Direction*



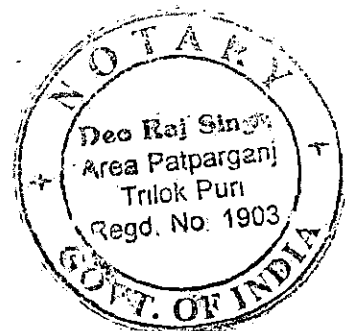
*Election Commission of India to cancel the Symbol or name allotted to the political parties which in any way symbolize to any religion as such practice violates Social fabric of the Constitution.*

*b) pass such other and further order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case. "*

4.2 It is submitted at the outset that in the instant Writ Petition, the Petitioner has prayed for directing the Election Commission of India to cancel the symbol or name allotted to political parties which have religious connotation in their name(s).

4.3 In this context, it is submitted that in the Representation of the People (Amendment) Bill, 1994, introduced in the Lok Sabha, it was proposed that a proviso be added under sub-section (7) of Section 29A of the Representation of the People Act, 1951 (hereinafter referred to as "*the RP Act, 1951*") stating that no association bearing religious name would be registered as a political party. The said provision is reproduced herein below for ease of reference:

**"7. In section 29A of the 1951-Act,-**



(i) in sub-section (7), for the proviso, the following proviso shall be substituted, namely:

*"Provided that no association or body shall be registered as a political party under this sub-section,*

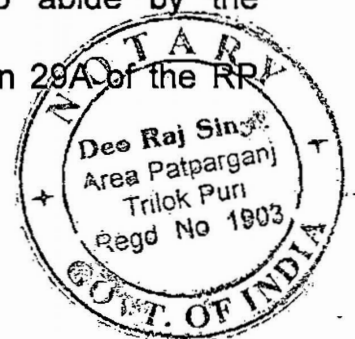
*(a) the association or body bears a religious name: or*

*(b) the memorandum or rules and regulations of such association or body do not conform to the provisions of subsection (5) "*

However, the said bill was not passed and consequently, lapsed with the dissolution of the then Lok Sabha in the year 1996. Therefore, as per the present statute, there is no express provision which bars associations with religious connotations to register themselves as political parties under Section 29A of the RP Act, 1951.

True copy of the relevant extracts of the Gazette Notification dated 13.06.1994 is annexed herewith and marked as **ANNEXURE-C/1** at pages 29 to 39

4.4 Nonetheless, political parties are required to abide by the principle of 'secularism' as mandated by Section 29A of the RP



Act, 1951 [Inserted by Act 1 of 1989, S. 6 (w.e.f. 15.06.1989)]  
which states as follows:-

**"29A. Registration with the Election Commission of associations and bodies as political parties.—** (1) Any association or body of individual citizens of India calling itself a political party and intending to avail itself of the provisions of this Part shall make an application to the Election Commission for its registration as a political party for the purposes of this Act.

(2) Every such application shall be made,—

(a) if the association or body is in existence at the commencement of the Representation of the People (Amendment) Act, 1988 (1 of 1989), within sixty days next following such commencement;

(b) if the association or body is formed after such commencement, within thirty days next following the date of its formation.

(3) Every application under sub-section (1) shall be signed by the chief executive officer of the association or body (whether such chief executive officer is known as Secretary or by any other designation) and presented to the Secretary to the Commission or sent to such Secretary by registered post.



(4) Every such application shall contain the following particulars, namely:—

(a) the name of the association or body;

(b) the State in which its head office is situate;

(c) the address to which letters and other communications meant for it should be sent;

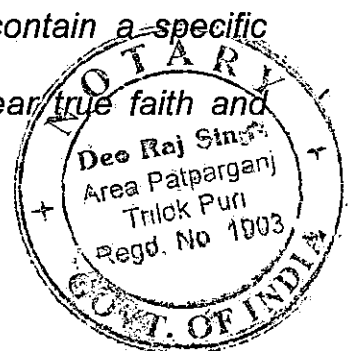
(d) the names of its president, secretary, treasurer and other office-bearers;

(e) the numerical strength of its members, and if there are categories of its members, the numerical strength in each category;

(f) whether it has any local units; if so, at what levels;

(g) whether it is represented by any member or members in either House of Parliament or of any State Legislature; if so, the number of such member or members.

(5) The application under sub-section (1) shall be accompanied by a copy of the memorandum or rules and regulations of the association or body, by whatever name called, and such memorandum or rules and regulations shall contain a specific provision that the association or body shall bear true faith and



*allegiance to the Constitution of India as by law established, and to the principles of socialism, secularism and democracy, and would uphold the sovereignty, unity and integrity of India.*

*(6) The Commission may call for such other particulars as it may deem fit from the association or body.*

*(7) After considering all the particulars as aforesaid in its possession and any other necessary and relevant factors and after giving the representatives of the association or body reasonable opportunity of being heard, the Commission shall decide either to register the association or body as a political party for the purposes of this Part, or not so to register it; and the Commission shall communicate its decision to the association or body:*

*Provided that no association or body shall be registered as a political party under this sub—section unless the memorandum or rules and regulations of such association or body conform to the provisions of sub—section (5).*

*(8) The decision of the Commission shall be final.*

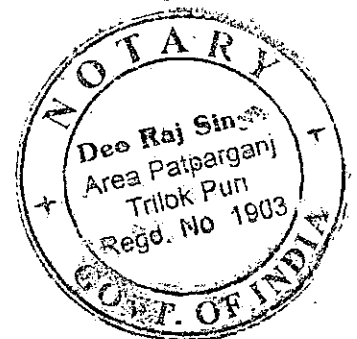
*(9) After an association or body has been registered as a political party as aforesaid, any change in its name, head office, office-*





*bearers, address or in any other material matters shall be communicated to the Commission without delay. "*

- 4.5 Thus, a conjoint reading of sub-section (5) read with proviso to sub-section (7) of the aforementioned Section 29A, reveals that the political party applying for registration with the Election Commission of India must bear true faith and allegiance to the Constitution of India, and to the principals of socialism, secularism and democracy and to also uphold the sovereignty, unity and integrity of India, and that if the memorandum or rules and registration of the political party do not confirm to the above, it shall not be registered by the Election Commission of India.
- 4.6 It is pertinent to note that the Election Commission of India, in the year 2005, had taken a policy decision, whereby it decided that political parties having religious name/connotation would not be registered thereon under Section 29A of the RP Act, 1951. As per the said policy decision taken in 2005, the Election Commission of India since then has not registered any political party having religious connotation in their name under the provision of Section 29A of the RP Act, 1951. It is apposite to mention herein that certain political parties mentioned in the instant Writ Petition were





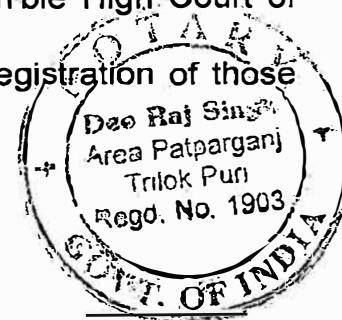
registered prior to the aforesaid decision of the Election Commission of India.

- 4.7 It is also relevant to mention herein that the Election Commission of India issued an Order dated 19.05.2014, whereby it was directed that political parties seeking registration should not have religious connotation. Relevant extract of the order is reproduced here below for ease of reference:

*"Whereas, in connection with registration of political parties under Section 29A of the Representation of the People Act, 1951, the Commission has directed that the names of political parties seeking registration should not have any religious connotation and that the names should not be similar to the names of existing political parties that may lead to confusion."*

True copy of the Order dated 19.05.2014 issued by the Election Commission of India is annexed herewith and marked as **ANNEXURE-C/2** at pages 40 to 41

- 4.8 In this context, it is pertinent to point out herein that in *Citizen Rights Foundation & Anr. vs. Union of India & Anr. [W.P. (C) No. 2844 of 2016]*, the Division Bench of the Hon'ble High-Court of Delhi dealt with the issue of cancellation of registration of those



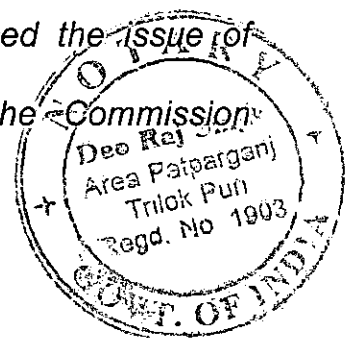
political parties that had connotation of religion, race, caste, creed, community or name of god in its name. The Division Bench of the Hon'ble High Court, vide Order dated 29.04.2016, dismissed the said petition after taking cognizance of the aforesaid policy decisions of the Election Commission of India. Relevant extract of the judgment is as follows:

*"1. This petition by way of public interest litigation has been filed seeking a direction to the respondent No.2/Election Commission of India to take necessary action to change the name of political parties having any connotation of religion, caste, creed, race, name of god or community in its name. It is apparent from the material placed on record that the issue sought to be raised by the petitioner has already been considered by the Election Commission of India on a representation made by the petitioner and by letter dated 29.09.2015, the petitioner was informed as under:-*

*"Subject:- Registration of Political Parties-reg.*

*Sir,*

*I am directed to refer to your letter dated 20.09.2015, on the subject cited, wherein you have raised the issue of some political parties registered with the Commission*



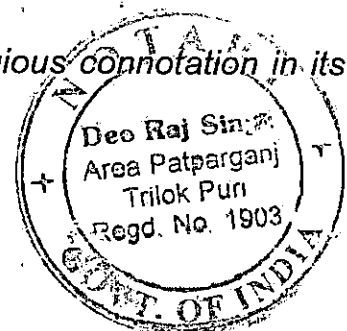
having religious connotations in their names. In this regard, it is stated that in the year 2004 there was a petition W.P. No. 112/2004 titled "N.Kunju vs. Election Commission of India and Ors., filed in the Hon'ble Supreme Court, regarding use of religious phrases/words in the names of political parties. That application was dismissed on technical grounds. However, the Commission decided that henceforth the parties/associations having religious names would not be registered by the Commission as political parties. Thus from the year 2005 i.e. after filing of the Writ Petition by Shri N.Kunju, the Commission has ensured that no party having religious connotation in its name, is registered.

The political parties mentioned in your letters were registered prior to the above decision of the Commission. Since these parties were registered earlier subsequent guidelines cannot be enforced on these parties.

Yours faithfully,

-sd-

2. Since it is clear that the Election Commission of India is not registering any party having religious connotation in its



*name from the year 2005, the present petition deserves no consideration.*

**3. The writ petition is dismissed "**

True copy of the Order dated 29.04.2016 passed by the Hon'ble High Court of Delhi in *Citizen Rights Foundation & Anr. vs. Union of India & Anr. [W.P. (C) No. 2844 of 2016]* is annexed herewith and marked as **ANNEXURE-C/3** at pages 42 to 43

4.9 It is also relevant to point out herein that another writ petition titled *Ashwini Upadhyay vs. Union of India & Anr. [W.P. (C) No. 5378 of 2019]* on the same subject matter is pending before the Hon'ble High Court of Delhi. In the said matter, a prayer has been made *inter alia* to review the political parties, registered with religious connotations and de-register them if they fail to rename within three (3) months. It is further stated that the Election Commission of India has filed a counter affidavit in the aforesaid case, wherein the aforesaid policy of the year 2005 has been reiterated, in addition to the Order dated 19.05.2014 passed by the Election Commission of India.

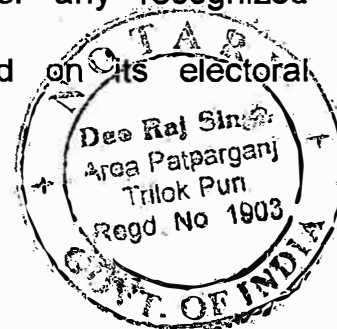
4.10 It is also apposite to mention herein that as per the amended Guidelines and Application Format issued by the Election Commission of India in exercise of the powers conferred by



Article 324 of the Constitution of India and Section 29A of the RP Act, 1951, it has been specifically provided therein that the name of the Party should not contain name of any religion or caste.

True copy of the Guidelines and Application Format issued by the Election Commission of India is annexed herewith and marked as **ANNEXURE-C/4** at pages 44 to 64.

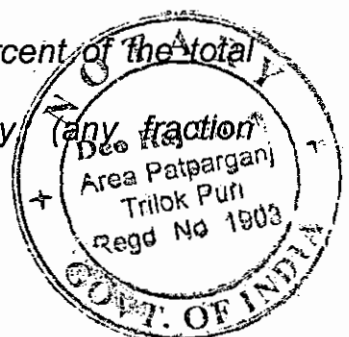
5. It is also pertinent to mention herein that it is to be observed that political parties which have religious connotation in their names also limit their electoral appeal to one particular group and thus, it is not beneficial for the electoral prospect of the concerned political party.
6. The registered names of those existing political parties which are having religious connotation have become legacy names, as they have been in existence for decades. Whether the names of these political parties may or may not be disturbed is, accordingly, left open to the wisdom of this Hon'ble Court.
7. It is, further, submitted that the prayer of the Petitioner to cancel the symbol allotted to political parties with religious connotation is legally untenable as symbols reserved for any recognized National or State Party is strictly based on its electoral



performance as stated under Paragraphs 6A, 6B and 6C of the Election Symbols (Reservation and Allotment) Order, 1968. Paragraphs 6A, 6B and 6C of the Symbols Order, 1968 is reproduced herein below for the sake of convenience:-

**"6A. Conditions for recognition as a State Party** – A political party shall be eligible for recognition as a State party in a State, if, and only if, any of the following conditions is fulfilled:

- (i) At the last general election to the Legislative Assembly of the State, the candidates set up by the party have secured not less than six percent of the total valid votes polled in the State; and, in addition, the party has returned at least two members to the Legislative Assembly of that State at such general election; or
- (ii) At the last general election to the House of the People from that State, the candidates set up by the party have secured not less than six percent of the total valid votes polled in the State; and, in addition, the party has returned at least one member to the House of the People from that State at such general election; or
- (iii) At the last general election to the Legislative Assembly of the State, the party has won at least three percent of the total number of seats in the Legislative Assembly.



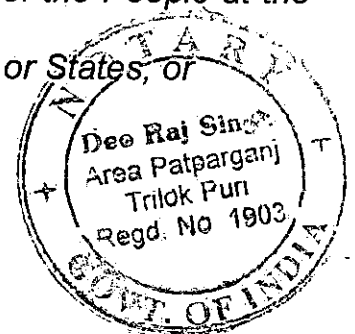
exceeding half being counted as one), or at least three seats in the Assembly, whichever is more; or

(iv) At the last general election to the House of the People from the State, the party has returned at least one member to the House of the People for every 25 members or any fraction thereof allotted to that State; or

(v) At the last general election to the House of the People from the State, or at the last general election to the Legislative Assembly of the State, the candidates set up by the Party have secured not less than eight percent of the total valid votes polled in the State.

**6B. Conditions for recognition as a National Party** – A political party shall be eligible to be recognized as National party, if, and only if, any of the following conditions is fulfilled:

(i) The candidates set up by the party, in any four or more States, at the last general election to the House of the People, or to the Legislative Assembly of the State concerned, have secured not less than six percent of the total valid votes polled in each of those States at that general election; and, in addition, it has returned at least four members to the House of the People at the aforesaid last general election from any State or States, or



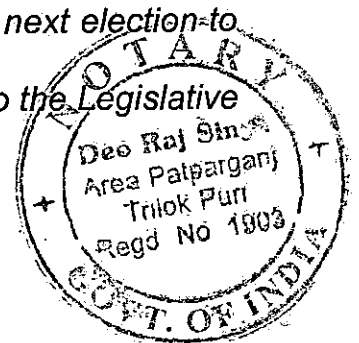


(ii) *At the last general election to the House of the People, the party has won at least two percent of the total number of seats in the House of the People, any fraction exceeding half being counted as one; and the party's candidates have been elected to that House from not less than three States; or*

(iii) *The party is recognized as State party in at least four States.*

**6C. Conditions for continued recognition as a National or State Party.** - (1) *Notwithstanding anything in Paragraph 6A and Paragraph 6B, if a political party recognized as a State Party or National Party fails to fulfill the conditions of Paragraph 6A or, as the case may be, Paragraph 6B, at the next general election to the House of the People or, as the case may be, to the Legislative Assembly of the State, following the general election to the House/Assembly concerned on the basis of which it got recognition (hereinafter referred to as "the next election"), it shall continue to be treated as recognized State Party or National Party, as the case may be.*

(2) *If a recognised political party continues to be treated as recognised National Party or State Party after the next election to the House of the People or, as the case may be, to the Legislative*

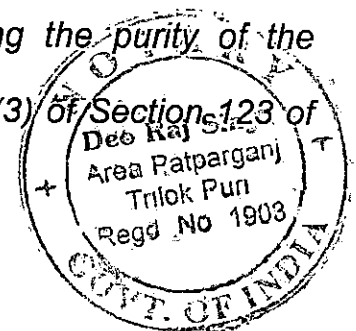


*Assembly of the State under the provisions of sub-paragraph (1), the question whether it shall further continue to be so recognised after any subsequent general election to the House of the People or, as the case may be, to the Legislative Assembly of the State concerned, shall be subject to the fulfillment by the party of the conditions specified in Paragraph-6A or 6B; as the case may be."*

8. That this Hon'ble Court, in ***Abhiram Singh vs. C.D. Commachen [(2017) SCC 2 629]*** held that any appeal to vote or to refrain from voting for a candidate on the grounds of religion, caste, race, community or language by a candidate or his agent to the electors would amount to corrupt practice under the provisions of the Representation of the People Act, 1951. Relevant portion of the judgment is reproduced here below for ease of reference:

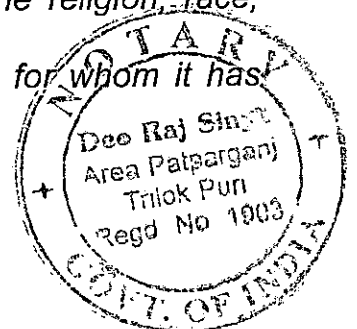
*"50.1. The provisions of clause (3) of Section 123 of the Representation of the People Act, 1951 are required to be read and appreciated in the context of simultaneous and contemporaneous amendments inserting clause (3-A) in Section 123 of the Act and inserting Section 153-A in the Penal Code, 1860."*

*"50.2. So read together, and for maintaining the purity of the electoral process and not vitiating it, clause (3) of Section 123 of*



*the Representation of the People Act, 1951 must be given a broad and purposive interpretation thereby bringing within the sweep of a corrupt practice any appeal made to an elector by a candidate or his agent or by any other person with the consent of a candidate or his election agent to vote or refrain from voting for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate on the grounds of the religion, race, caste, community or language of (i) any candidate, or (ii) his agent, or (iii) any other person making the appeal with the consent of the candidate, or (iv) the elector."*

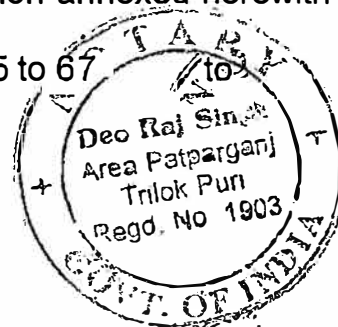
*"80. To sum up : an appeal in the name of religion, race, caste, community or language is impermissible under the Representation of the People Act, 1951 and would constitute a corrupt practice sufficient to annul the election in which such an appeal was made regardless whether the appeal was in the name of the candidate's religion or the religion of the election agent or that of the opponent or that of the voters. The sum total of Section 123(3) even after amendment is that an appeal in the name of religion, race, caste, community or language is forbidden even when the appeal may not be in the name of the religion, race, caste, community or language of the candidate for whom it has*



*been made. So interpreted, religion, race, caste, community or language would not be allowed to play any role in the electoral process and should an appeal be made on any of those considerations, the same would constitute a corrupt practice. With these few lines, I answer the reference in terms of the order proposed by Lokur, J."*

9. In view of the aforementioned Judgment of this Hon'ble Court in *Abhiram Singh vs. C.D. Commachen (Supra)*, the Election Commission of India has also issued letter dated 24.01.2017, inviting attention of all the Chief Electoral Officers of all the States and Union Territories to the said Judgment. The Election Commission of India has separately instructed all recognized National and State political parties that they shall take due note of the directions in the said Judgment for strict compliance. Any activity Any activity seeking votes in the name of religion, caste etc. by or on behalf of any candidate or political party would now amount to violation of the provisions of sub-para (3) and (4) of Part-I of the Model Code of Conduct.

True copy of the Letter No. 56/LET/FUNC/PP/PPS-II/2017 dated 24.01.2017 issued by the Election Commission annexed herewith and marked as **ANNEXURE-C/5** at pages 65 to 67



10. The issue pertaining to de-registration of political parties was considered by this Hon'ble Court in the case of **Indian National Congress (I) Vs. Institute Of Social Welfare & Ors., 2002 (5) SCC 685**, wherein this Hon'ble Court was pleased to hold that:

*"32.....We are, therefore, of the view that unless there is express power of review conferred upon the Election Commission, the Commission has no power to entertain or enquire into the complaint for de-registering a political party for having violated the Constitutional provisions.*

*41. To sum up, what we have held in the foregoing paragraph is as under:*

*1. That there being no express provision in the Act or in the Symbols Order to cancel the registration of a political party, and as such no proceeding for deregistration can be taken by the Election Commission against a political party for having violated the terms of Section 29-A(5) of the Act on the complaint of the respondent.*

*2. The Election Commission while exercising its power to register a political party under Section 29-A of the Act, acts quasi-judicially and decision rendered by it is a quasi-judicial order and once a*



*political party is registered, no power of review having been conferred on the Election Commission, it has no power to review the order registering a political party for having violated the provisions of the Constitution or for having committed breach of undertaking given to the Election Commission at the time of registration.*

*3. However, there are exceptions to the principle stated in paragraph 2 above where the Election Commission is not deprived of its power to cancel the registration. The exceptions are these:*

*(a) where a political party has obtained registration by practising fraud or forgery;*

*(b) where a registered political party amends its nomenclature of association, rules and regulations abrogating therein conforming to the provisions of Section 29-A(5) of the Act or intimating the Election Commission that it has ceased to have faith and allegiance to the Constitution of India or to the principles of socialism, secularism and democracy or it would not uphold the sovereignty, unity and integrity of India so as to comply with the provisions of Section 29-A(5) of the Act; and*

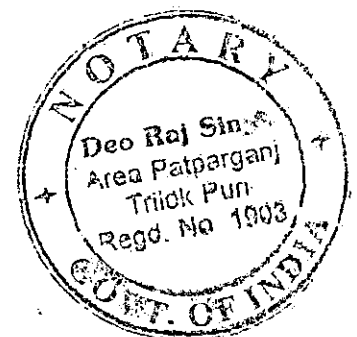


(c) *any like ground where no enquiry is called for on the part of the Commission.*

4. *The provisions of Section 21 of the General Clauses Act cannot be extended to the quasi-judicial authority. Since the Election Commission while exercising its power under Section 29-A of the Act acts quasi-judicially, the provisions of Section 21 of the General Clauses Act have no application."*

10.1 Furthermore, it has been held by this Hon'ble Court in a catena of decisions that any candidate can be disqualified only in the manner, and in consonance, with the provisions of the Constitution of India and the Representation of the People Act, 1951.

10.2 Thereafter, in 2004, the Election Commission of India sent a set of 22 proposals on Electoral Reforms to the Government, which was referred to the Department Related Parliamentary Standing Committee (RS) on Personnel, Public Grievances, Law and Justice for examination by the Chairman, Rajya Sabha in the year 2005.



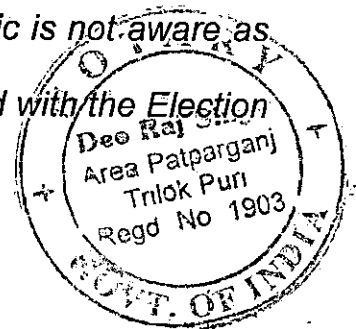


10.3 It is submitted that the Proposal No. 7 of the Election Commission of India in the second part (i.e. Pending Proposals) reads as under:

**"7. REGISTRATION AND DE-REGISTRATION OF POLITICAL PARTIES STRENGTHENING OF EXISTING PROVISIONS**

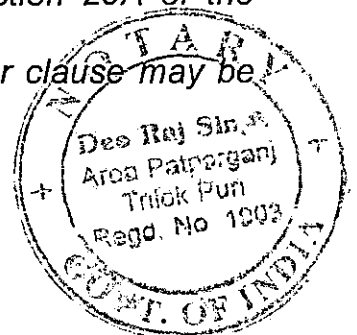
**(Proposal made in Chief Election Commissioner's letter dated 15th July, 1998 addressed to the Law Minister)**

*Political parties are registered with the Commission under the provisions of Section 29A of the Representation of the People Act, 1951. The Section, as it stands, suffers from certain looseness by which just about any small group of persons, if they so desire, can be registered as a political party, by making a simple declaration under Section 29A(5). This has resulted in mushrooming and proliferation of a large number of non-serious parties, which causes a considerable systems load in the management of elections. By way of example, more than 650 parties are presently registered with the Election Commission, out of which only 150 or so contested in the general elections of 1998. The same trend was there in 1996 general elections as well as in 1991 general elections. Since the lay public is not aware as to how easy it is to get a political party registered with the Election*



*Commission, probably, the motivation for the non-serious parties to get registered is to give some sort of a distorted aura of their status and standing in their localities, particularly in rural and mofussil areas. The Commission feels that election is a serious process and this tendency of small groups of individuals, who have no serious interest or desire to contest elections, should not easily be allowed to get the official stamp from the Commission as active political parties.*

*In addition to there not being sufficient conditions under Section 29A to deny registration to a political party, the Section also suffers from a serious infirmity that once registered, a political party would stay registered in perpetuity, even if, it does not contest any election over decades of its existence. This is because there is no specific provision to de-register a party. Similarly, certain political parties, which have served their purpose and have presently become defunct, which is normal in the functioning of a democracy, also stay on the rolls of the Commission as functioning political parties. It can readily be seen that the state of affairs is not a happy one. The Commission, therefore, suggests that under the existing Section 29A of the Representation of the People Act, 1951, another clause may be*

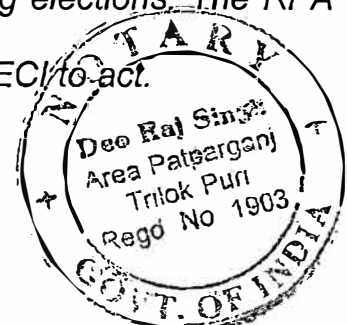


*introduced authorising the Election Commission to issue necessary orders regulating registration and de-registration of political parties".*

True copy of the relevant extracts of the Proposed Electoral Reforms published by the Election Commission of India on 30.07.2004 is annexed herewith and marked as **ANNEXURE-C/6** at pages 68 to 72 .

10.4 It is also submitted that the Law Commission of India, in its 255<sup>th</sup> Report on electoral reforms, has recommended as follows:

*"3.12 Consequently, there is no mechanism to review a party's practice against the principles enshrined in the Constitution or against the requirements of the ECI's Guidelines and Application Format for the Registration of Political Parties under Section 29A. A party can only be deregistered if its registration was obtained by fraud; if it is declared illegal by the Central Government; or if a party amends its internal Constitution and notified the ECI that it can no longer abide by the Indian Constitution. Moreover, there is no power of de-registration if parties having registered under section 29A of the RPA continue to avail of tax benefits under section 13A of the IT Act, without contesting elections. The RPA thus needs to be amended to empower the ECI to act.*



3.13 *Even otherwise, these situations only deal with cases of deregistration, and not disbarment of any party from contesting elections. It is clear that any party can contest elections, even if their Constitution contravenes the provisions and ideals of the Constitution or does not provide for internal elections.”*

True copy of the relevant extracts of the 255<sup>th</sup> Report of the Law Commission of India published in March 2015 is annexed herewith and marked as ANNEXURE-C/7 at pages 73 to 77

10.5 Thereafter, the Election Commission of India, in December 2016, once again sent a set of 47 proposals (encapsulated in 10 chapters) on Electoral Reforms to the Government of India, wherein Chapter VII provided for proposals in respect of Reforms relating to Political Parties. It is submitted that Proposal 1 of the said Chapter VII deals with 'De-registration of political parties', the relevant extracts of which are as follows:

***“Reason for proposed amendment***

*Many political parties get registered, but never contest election. Such parties exist only on paper. The possibility of forming political parties with an eye on availing the benefit of income tax exemption also cannot be ruled out. It would only be logical that*



*the Commission which has the power to register political parties is also empowered to de-register in appropriate cases*

**Proposed amendment**

*The Election Commission of India should be given powers to de-register a political party should be authorised to issue necessary orders regulating registration and de-registration of political parties."*

True copy of the relevant extracts of the Proposed Electoral Reforms published by the Election Commission of India in December 2016. is annexed herewith and marked as ANNEXURE-C/8 at pages 78 to 86

11. The Answering Respondent further submits that it is not filing a detailed parawise reply at this stage and craves leave of this Hon'ble Court to file a further detailed additional affidavit, if so required or deemed fit besides making detailed submissions at the time of hearing.
12. Hence, it is prayed that this Hon'ble Court may be pleased to record the above position in so far as Answering Respondent (i.e. Respondent No. 1) is concerned and pass such order as this



Hon'ble Court may deem fit and proper in the facts and circumstances of the case and, thus, render justice.

