

MOST RESPECTFULLY SHOWETH :**This Writ Petition is being filed in Public Interest, to
(Constitutional Provisions)**

1)The present petition seeking writ(s)/direction(s) towards ensuring the safety of activist which is a fundamental right under Article (21) of the constitution and further be pleased to issue appropriate writ(s)/direction(s) to the Respondents to ensure proper implementation of the existing regulations/laws pertaining to safety of activists, because non adherence to the implementation being sought gives considerable opportunity to the aggrieved entities whose illegitimate interest are adversely effected (because of selfless efforts of activists, in national interest) to physically harm the activists, to an extent of loss of lives or any such injury which is life threatening.

That the petitioner has approached the concerned authority i.e. Union of India through – Home Minister on (29-03-2012) vide (EW681718232IN) and Minister for Personnel, Public Grievances vide E.mail dated (31-12-

2012) to the E.mail id. samyselvi@sansad.nic.in regarding the framing and implementation of precautionary policy to protect activists, but given the indifferent approach of the Govt. for last some years, nothing much is expected.

2) The manner in which there has been excessive rise in criminal acts, by form of physical attacks against activists (who work in national interest primarily using the tool of RTI. and PIL.) and invariably adversely harm the illegitimate interests of a large section, which includes private entities/executive/political-machinery and hence those adversely affected (because of limited deterrents being incorporated towards protection to activists) daringly go after the lives of activists and at times even if it does not cause death to the activist, he subjected to prolonged torture and suffering because of the grave nature of injuries caused. The right to peaceful and safe environment is one of the tenets of right to life. The purpose underneath this constitutional right given to an individual, is for protecting public interest and every endeavour should be made by State to create a peaceful and safe society/environment to live in.

03) That the respondents are Union of India, through – Secretary - Ministry of Home (North Block, Central Secretariat, New Delhi -110001). Secretary – Ministry of Personnel, Public Grievances (North Block, New Delhi - 110001). Since RTI. queries are initiated from every state of the country including West Bengal, the cause of action accrues to all states including West Bengal.

04) The petitioner is a public spirited citizen and seeks remedy from the temple of justice, whenever he finds that the fundamental rights of a large segment of society are being denied. His findings are either by virtue of his personal experience and/or through interaction with suffering entities and/or through media articles. He benefits from the intended positive outcome, same way as a fellow citizen who is experiencing the negative fall out of the non incorporation of the remedy sought. Following are the humble petitions of the petitioner on which the Hon'ble Supreme Court of India has issued judgments/orders –

a) Petition to verify the postal address of applicants for pre paid mobile connections - since they are most pro actively serving as a facilitator, for those criminally inclined including terrorist. The petition was admitted in - September,10 and a judgement delivered on (27/04/12) instructing the formation of a committee which will include the chairperson of D.O.T. and (02) individuals each from D.O.T. and T.R.A.I. which will finalize verification norms keeping the security angle to be primary, including the proposal to deliver S.I.M. cards by post. Case no. 285 of 2010, in the court of chief justice of India. Petitioner – Mr. Avishek Goenka.

b) Petition to ban black films in glasses of vehicles - since they too serve as a catalyst for criminal activities including terrorism. The petition was admitted in - July,11 and judgement delivered on (27/04/12) with

instructions to ban black films on glasses of vehicles, however glasses adhering to the visibility norms defined in motor vehicles act. can be manufactured by the manufacturer but no external film can be pasted on the glass.

Case no.265 of 2011, in the court of chief justice of India. Petitioner – Mr. Avishek Goenka.

c) Notice has been issued on (12/12/2012) to the Ministry of Health & Aiims. In the petition to ensure availability of – medicines, surgical inputs, implants, orthotic & prosthetic devices at (56%) discount on Mrp. – as because of the prevailing poverty in the nation & availability of a time tested model with Aiims. New Delhi.

Case no. 459 of 2012, in the court of Justice Mr. G. S. Singhvi & Justice Mr. S. J. Mukhopadhaya. Petitioner – Mr. Avishek Goenka.

d) On (26-08-2013) the Hon'ble Court has forwarded the certified copy of order for information, compliance and necessary action, in the matter of effective Population

control measures – asking the respondents to consider the writ petition as a representation of the petitioner. Further the ministry can take into consideration, as to whether any of the suggestion made by the petitioner, can be accepted and enforced.

Case no. 463 of 2013, in the court of Justice Mr. B.S. Chauhan & Justice Mr. S.A. Bobde. Petitioner – Mr. Avishek Goenka.

5)14/01/2010 An article in, Times of India – “Whistleblower RTI. activist murdered” !! The article said about, the murder of social activist – Satish Sheety from Pune who had exposed a series of land scams in Maharashtra. He was an anti corruption crusader for last (15) years and was using the RTI. tool to expose irregularities in Government offices over last (5) years. He had also exposed how restaurants and marriage hall were being illegally planned in residential areas. The incident promptly reflects that how activist are eliminated by those at receiving end.

A copy of media article has been annexed as **Annexure P/1. Pages 50 to 51.**

6) 15/01/2010 An article in, Times of India – “RTI. death: hc seeks answers” !! The article said about, the firing on Mumbai based activist – Nayana Kathpali’s house at Mumbai church gate and also about the death of social activist – Satish Sheety from Pune and also reflected, Bombay High Court division bench observations. A division bench of justice F.I. Rebello and justice J. H. Bhatia said “it cannot close its eyes to the incidents”. “such incidents, in our opinion, are (aimed at) dissuading public-spirited citizens and social activists from approaching the court to highlight illegatities” !! The incident promptly reflects the vulnerable situation in which activities are surviving and also the observeations of the court.

A copy of media article has been annexed as **Annexure P/2. Pages 52 to 53.**

7) 26/06/2010 An article in, Times of India – “Activist faces brunt of steel magnate fury” !! The article said about, how a environmental activist – Mr. Ramesh Agarwal from Raigarh had cases of extortion and threat to life (sec 386 and 506 b of IPC.) registered against him, on a complain filed by a leading steel producer. The FIR.s were registered despite the fact that

of PIL. in Delhi High Court filed by him, resulted in a major amendment to the rules governing environmental clearance. Mr. Ramesh Agarwal also ensured that national environment appellate authority withdraw the environmental clearance to a thermal power plant in Chhattishgarh. The FIR.s were lodged only after ministry of environment of forest withdrew the terms of reference to the project on a complain by Mr. Agarwal. What was most surprising is that why the company choose to file the fir. only after MOEF. acted against the company and not earlier. The incident promptly reflects that how the corporates who cannot go ahead with their alleged wrong doings, use the mighty resources to take revenge on the activists, who act as whistle blowers to the alleged wrong doings of some corporate houses.

A copy of Media Article has been annexed as **ANNEXURE P/3. PAGES 54 TO 58.**

8) 27/06/2010 As per report published in Kolkata Edition of Telegraph, The Indian Police Journal, published by the Bureau of Police Research and Development states that - crime statistics are lower than incidence because policemen are

reluctant to register F.I.R. The study was conducted in North Bengal by the Superintendent of Police and reflected that the number of recorded cases of crime went up by more than (400%) after registration of F.I.R.S was made mandatory. Hence it can be very well be concluded that the actual nos. of criminal cases with relation to the activists are by far more than those actually reported.

A copy of Media Article has been annexed as **ANNEXURE P/4. PAGES 59 TO 63.**

9)11/07/2010 An article in, Times of India – “Warrant out for whistleblower” !! The article said about, the nightmare of whistleblower Samdeep Mohan Varghese against whom and his family arrest warrants, were issued by a district court, on a complain filed by the company whose alleged misdeeds he had exposed.

The incident promptly reflects that how the corporates who cannot go ahead with their alleged wrong doings use the mighty resources to take revenge on the activists who act as whistle blowers to the alleged wrong doings of some corporate houses.

A copy of media article has been annexed as **Annexure P/5. Pages 64 to 65.**

10)15/07/2010 An article in, Times of India – “Court relief for relatives of Punjab whistleblower” !! The article said that, the court had taken suo motu notice of the fact published in Times of India on [(09/07/2010) – and reflected in this petition on (11/07/2010)] i.e. the above matter and issued anticipatory bails. The incident promptly reflects that how when executive is behind the whistle blower, the court comes to its safety.

A copy of media article has been annexed as **Annexure P/6. Pages 66 to 67.**

11)18/07/2010 An article in, Times of India – “Rupees 69Lacs to muzzle whistleblower” !! The article said about, how a whistleblower Mr. Abhijit Ghosh a general manager with – Central Bank of India had complained against the chairman and managing director, to central vigilance commission and in retaliation the bank management not only slapped multiple chargesheets against him, but in addition to that spent an amount of (69) lacs, to contest a writ petition filed by Mr. Abhijit Ghosh challenging the chargesheets. Further he was

suspended and his terminal benefits, withheld due to pending chargesheets while those of accused were settled. The incident promptly reflects that how whistle blowers, even in some large Govt. organisations – (holding responsible positions) are harassed and all protection is given to the accused, at the cost of public money.

A copy of media article has been annexed as **Annexure P/7. Pages 68 to 71.**

12) 22/07/2010 An article in, Times of India – “Gir RTI. activist shot dead” !! The article said about, how a green activist from Gujrat – Amit Jethwa was killed outside the Gujrat High Court, soon after he came out of bar council’s office. The father of the slain activist said ... “i suspect Junagadh BJP MP Dinu Solanki is behind the murder of my son, who had recently submitted an affidavit to the Kodinar police, expressing fears that he may be killed by Solanki. My son had filed an RTI. application and a PIL. in the Gujrat High Court against Solanki.” The incident promptly reflects that even after threats being reported to police station the RTI. activist is shot dead in broad day light, infornt of the high court of Gujrat.

A copy of media article has been annexed as **Annexure P/8. Pages 72 to 73.**

13) 30/08/2010 An article in, Times of India – “Pds racket whistleblower found dead in Maharashtra” !! The article said about, the killing of a (43) years old RTI. activist - Ramdas Ghadegavkar in Maharashtra, who was in the fore front of exposing corruption in Pds., food grain and fuel distribution in Marathwada region. He had also exposed the sand mafia in the region. The incident promptly reflects that even activists working for the benefit of the poor are not spared by the corrupt.

A copy of media article has been annexed as **Annexure P/9. Pages 74 to 75.**

14) 03/01/2011 An article in, Times of India – “RTI. activist attacked near Pune” !! The article said about, a life threatening attack on a (38) years old RTI. activist – Arun Baban mane in Maharashtra, who was working to expose the murder of RTI. activist – Satish Sheety as mentioned in the event dated (14/10/2010). Beyond that he was also working to expose other cases which were left un attended the death of – Satish Sheety. The incident promptly reflects that how activist are

eliminated by those at receiving end.

A copy of media article has been annexed as **Annexure P/10. Pages 76 to 77.**

15) As per reply against an RTI. query by the petitioner, from Dr. Dhani Ram APIO. Bureau of Police Research and Development New Delhi, reflecting the actual no. of Police personnel against the sanctioned no. per lac of population in Indian States as on (01/01/2009) and also showing the comparison of police availability per lac of population for the years (2001 & 2002) between different countries of the Globe – It is clearly visible that our nation lags far behind among many nations of the Globe in terms of ensuring higher number of police personnel against every lac of population. Due to this insufficient no. the police is in all probabilities unable to provide the required security cover which ought to be extended to the citizens of the nation for ensuring proper and adequate safety and peace. Coupled with the comparative shortage of police personnel when matched with most other nations of the Globe, what has further aggravated the situation is that – even there is a remarkable difference between the actual and the sanctioned number of police personnel in the nation.

Additionally it is not a hidden fact that our police force is ill equipped and compares poorly with the developed nations – (both in terms of technology& weaponry) who are benchmarks in terms of internal security. This double punch of lack of adequate manpower coupled with lack of latest technology – presents a strong case for effective deterrents, towards protection of Whistle-blowers.

A copy of RTI. reply has been annexed as **ANNEXURE P/11.(Colly) PAGES 78 TO 86.**

16) 29/01/2011 An article in, Times of India – “RTI. activist shot at” !! The article said about, the attack on a (55) years old RTI. activist – Amar Nath Pandey in eastern Uttar Pradesh. The activist had exposed that, a brick being sold at (Rs.24) against a market price of (Rs.1) for repair of road under the Nrega. scheme. His efforts also revealed that payment of lacs of rupees, were made against the names of dead labourers. The incident promptly reflects that even activists working for the benefit of the poor are not spared by the corrupt.

A copy of media article has been annexed as **Annexure P/12. Pages 87 to 89.**

17) 29/02/2011 An article in, Times of India – “Whistleblower engineer claims threat to his life” !! The article said about, a Bihar Government executive engineer Mr. Surendra Kumar Singh going into hiding due to alleged threat to his life, for his refusal to withdraw (52) crores, meant for Pradhan Mantri Gram Sadak Yojana, from the treasury without any work being done. The article also mentioned of another executive engineer – Yogendra Pandey being killed in Sitamarhi under similar circumstances. The article also mentioned about the killing of – Mr. Satyendra Dubey, a project director with NHAI. in November’2003, near Gaya in Bihar, by a contractor mafia, for blowing the whistle on corruption. The incident promptly reflects that how whistle blowers, even in some large Govt. organisations – (holding responsible positions) are harassed.

A copy of media article has been annexed as **Annexure P/13. Pages 90 to 91.**

18) 04/03/2011 An article in, Times of India – “Nrega activist lynched” !! The article said about, the lynching of a social activist, Mr. Niyamat Ansari in Daltonganj. Mr. Ansari was associated with former member of the mgnrega council and present member of national advisory council Mr. Jean Dreze.

The incident promptly reflects that even activists working for the benefit of the poor are not spared by the corrupt. Further causing death by lynching, brings about the deep rooted corruption and involvement of powerful political class who have control over groups – that can execute such killings by involving the masses.

A copy of media article has been annexed as **Annexure P/14. Pages 92 to 93.**

19)10/03/2011 An article in, Times of India – “Lawyer urges Sibal to help protect IIT. professor” !! The article said about, the lawyer of a PIL. petitioner – Mr. Rajeev Kumar, professor of computer science and engineering – IIT. Kharagpur, requesting the HRD. Ministry for ensuring protection to Mr. Rajeev Kumar as he had exposed alleged misdoings in IIT. Kharagpur and the IIT. Senate passing a resolution against him, for action to be initiated. The article promptly reflects that how whistle blowers even in the highest seat of learning are subject to strategic harassment.

A copy of media article has been annexed as **Annexure P/15. Pages 94 to 95.**

20) 25/05/2011 An article in Times of India – “India now a dangerous place to live in” !! The article reflects that, India's rank has fallen seven points on the Global Peace Index (GPI) 2011, which ranks countries according to how peaceful they are. India now ranks 135 out of 153 countries. We are now amongst the 20 least peaceful nations in the world, along with countries such as Pakistan and Afghanistan.

"India's score remains the same on most parameters used to measure peacefulness. Homicide and crime rates in India, too, are a lot lower than many other countries. The fall in rankings is largely due to an increasing perception of criminality in society," says Steve Killelea, founder of the Global Peace Index.

The GPI, now in its fifth edition, has been developed by Killelea's Institute for Economics and Peace along with the Economist Intelligence Unit, the research wing of The Economist magazine.

Killelea feels the increased perception of violence in India may have a lot to do with the repeated terror attacks on the country in recent times. That India is in a volatile neighbourhood and has issues with countries such as

Pakistan and China only adds to the threat perception," says Killelea.

A copy of media article has been annexed as **Annexure P/16. Pages 96 to 99.**

21) 02/07/2011 An article in, Telegraph – “Valley green crusader killed” !! The article said about, the killing of (32) years old Sonauallah Zargar in Kashmir, who also was a forest department official. The Jammu & Kashmir police said that he was killed after he became a hurdle in the wanton loot of Kashmir’s forest. The conspiracy to eliminate him, the police believe, was hatched by his boss in connivance with timber smugglers. The incident promptly reflects that how whistle blowers, even in some large Govt. organizations – (holding responsible positions) are eliminated by their own bosses once they refuse to be a part of criminal activity.

A copy of media article has been annexed as **Annexure P/17. Pages 100 to 102.**

22) 09/10/2011 An article in, Times of India – “Nailed for the truth” !! The article speaks in detail about the fate of activists in India and how they have been subjected to revenge, by

those who were adversely affected by the good work being carried out by the activists.

- A) Battatreya Patil – killed in may 2010 in the textile town of Ichalkaranji. The activist had used RTI. to expose fake registration of handloom societies.
- B) Ramdas Ghadegaonkar – killed in Nanded, August 2010. had filed RTI. applications against irregularities in fuel and grain allocation under Pds.
- C) Irfan Yusuf Qazi – killed in Jaitapur, December 2010. He had protested against the proposed nuclear plant.
- D) Vithal Gite – killed in Beed, April 2010. had exposed a scam run by a local school.
- E) Lalit Kumar Mehta – an activist from Jharkhand, he was murdered in May 2008 after he exposed corruption in the national rural employment guarantee scheme.
- F) Arun Sawant – shot dead in Thane, Feb 2010. He filed many RTI. applications in connection with the municipal corporation of Badlapur.
- G) Vishram Laxman Dodiya – the Ahmedabad activist had filed an RTI. application to get details about

illegal electricity connections allegedly given by a private power firm. He was murdered in February 2010, shortly after a meeting with officials of the company.

H) Shashidhar Mishra – an activist from Barauni in Bihar, he was killed last year while trying to expose corruption in local welfare schemes.

I) Sumaira Abdulali – in May 2004, the environmentalist was beaten brutally at Kihim beach – Goa while protesting against sand mafia and the assailants have not been brought to book till date.

J) Venkatesh – he exposed encroachments on government property in Bangalore. Initially, his death in 2009 was considered an accident. But the postmortem confirmed murder.

The above mentioned incidents throw light on the growing trend, to harm whistle blowers, so as to incite the element of fear among masses and hence facilitate the corrupt to carry out their criminal activities without any hindrance.

A copy of media article has been annexed as **Annexure P/18. Pages 103 to 109.**

23) 02/12/2011 An article in Economic Times – “Transparency International corruption index India drops to

95th position” !! The article reflects that how, in a reaffirmation of the general perception, India has dropped 11 places to be ranked 95th in the [Transparency International Corruption Index](#).

The global anti-graft watchdog, which compiles an annual list of countries based on their ranking on a scale of 1 to 10, places India below China in the index, but above its neighbour, Pakistan. India is perceived to be more corrupt than China which is ranked 75th on the list, but is better off than Pakistan, that is placed at the 134th position. Transparency International's Corruption Perceptions Index scores 183 countries and territories from zero (highly corrupt) to 10 (very clean) based on data from 17 surveys that look at factors such as enforcement of anti-corruption laws, access to information and conflicts of interest.

Transparency International, the global body spearheading the fight against corruption.

A copy of media article has been annexed as **Annexure P/19 Pages 110 to 112.**

24) 26/02/2012 An article in, Times of India – “Mumbai RTI. activist killed” !! The article said about, the murder of (42) year

old RTI. activist Mr. Premnath Jha, who had sought information on several construction projects in Vasai-Virar belt. The article promptly reflects the continue attacks and killing of whistle blowers, across the length and breath of the nation and hence presents a strong case for corrective action.

A copy of Media Article has been annexed as **ANNEXURE P/20. PAGES 113 TO 114.**

25) 28/03/2012 An article in, Telegraph – “Scambuster’s Hospital Ordeal” !! The article talks about, the harassment of (45) years old Rinku Singh Rahi, a (45) years old activist – who lost an eye to an earlier attack. The article also says that in (2009) Rahi was shot in the eye by hired criminals, after he had detected accounting discrepancies worth (40) crore in social welfare department.

A copy of Media Article has been annexed as **ANNEXURE P/21. PAGES 115 TO 117.**

26) That on March – 29, 2012 the petitioner has given an intimation to the Home Minister and Minister for Personnel, Public Grievances vide E.mail dated (31-12-2012) to the E.mail id. samyselvi@sansad.nic.in regarding formulation and implementation of a policy to protect Whistle-blowers. The

remedy being sought in the intimation is similar to that of being prayed in this petition. A copy of the said letter of the petitioner and the copy of postal receipt (EW681718232IN), has been annexed as **ANNEXURE P/22 (Colly) PAGES 118 TO 128.**

27) 21/05/2012 An article in, Telegraph – “Whistle-blower dies after street attack” !! The article talks about, the murder of a state administrative service officer – S.P. Mahantesh aged (48) years, who had exposed controversial land allotments by cooperative societies. He was the deputy director of audit wing of state co-operative department and had publicly alleged irregularities in various cooperative societies involving some officials and political figures.

A copy of Media Article has been annexed as **ANNEXURE P/23. PAGES 129 TO 131.**

28) 28/05/2012 An article in, Telegraph – “Whistle-blower victimized, cry scientists” !! The article talks about, the dismissal of Mr. Nilanjan Roy a professor with a national research institute on pharmacy, for exposing administrative improprieties and financial irregularities. The article also says that a section of scientists recall that an enquiry panel had

indicted Niper's administration (03) years ago for punishing another whistle-blower scientist, Animesh Roy, who had exposed scientific misconduct by the head of his department.

A copy of Media Article has been annexed as **ANNEXURE P/24. PAGES 132 TO 137.**

29) That the petitioner had filed this petition before the Hon'ble Supreme Court on (19-11-2012) as Writ Petition (Civil) No. (427/2012). The same was dismissed as withdrawn, with liberty to pursue appropriate remedy before the High Court.

A copy of the order has been annexed as **Annexure P/25. Pages 138 to 139.**

30) 16/05/2013 An article in, Economic Times – “UN team sees no protection for whistleblowers in India” !! The article talks about, a report on the country's compliance with the UN convention against corruption, which India had ratified in May'2011. As per the report the country does not comply with four of the seven clauses on corporate graft – including the protection of reporting persons, victims, witnesses and experts and with (02) other articles, there is only partial compliance.

A copy of Media Article has been annexed as **ANNEXURE P/26. PAGES 140 TO 142.**

31) 17/10/2013 An article in, Times of India – “Whistleblower takes poison pills at MP secretariat, dies” !! The article talks about, the suicide of an RTI. Activist in Bhopal, who was tortured by influential people, after he, through RTI. queries highlighted irregularities in securing government jobs. It is also revealed that, he listed the name of (31) people including doctors & professors, who had got jobs by producing fake cast certificates. Unable to bear the torture, by being abducted & beaten up, he committed suicide.

A copy of Media Article has been annexed as **ANNEXURE P/27. PAGES 143 TO 144.**

32) That the media plays a vital role in reporting crime, offense and transgression and that the media agencies maintain documentation of trail of incidents of such offense and transgression. Media has expressed its opinion umpteen numbers of times through their crime reports. The petitioner has also extended information of great credence and significance from (2) media agencies. By virtue of the aforementioned it is humbly prayed before this Hon’ble Court

that media agencies namely – Times of India Group & Ananda Bazar Patrika Group, be issued instructions, to extend to the Hon'ble Court, any additional information they happen to possess, on the subject matter being petitioned. Media plays a vital role in exposing perils of the nation owing to its operations and has evidences in form of text, audios and videos. Furthermore, the media inputs in this petition can serve as indispensable evidence and it is pertinent to mention that media reports and inputs have been sought as evidence only and not as views.

That in a recent case of PIL on Rajarhat land allotment case in Kolkata, Hon'ble Chief Justice J.N. Patel, CJ. and Hon'ble Justice B. Bhattacharya had instructed the petitioners to make newspapers party to the case owing to the fact that newspaper articles served as evidence in the case. Copy of Report dated 25/01/2012 published in Kolkata edition of The Telegraph annexed as **ANNEXURE P/28 PAGES 145 TO 147.**

PRAYER

In the above facts and circumstances it is most humbly prayed that your lordships would

most graciously be pleased to pass the following orders :

1. Issue appropriate writ(s) / direction(s) from this Hon'ble Court, to the respondents to, issue guidelines and/or notifications for enabling RTI. queries to be executed from post box facility available through Department of Posts under the Ministry of Communications and Information Technology, Government of India.
2. Issue appropriate writ(s)/directions(s) to the respondents to, constitute a joint expert committee which shall be specified, by the Hon'ble Court on the points that require examination to ensure safety of RTI. applicants and it's recommendations, will be binding on all the respondents.

3. Issue appropriate writ(s) / direction(s) from this Hon'ble Court, to the

joint expert committee to, within (90) days make it's recommendations known to - Ministry of Personnel, Public Grievances & Pensions.

4. Issue appropriate writ(s)/direction(s) to - Ministry of Personnel, Public Grievances & Pensions for, implementing the recommendations as instructions within (90) days of receiving the same and report of compliance be submitted to the registry of this Hon'ble Court.

5. Act suo moto and pass such other and further orders as may be deemed just and proper by this Hon'ble Court in the facts and circumstances of this case.

6. Pass such other and further orders as may be deemed just and proper by this Hon'ble Court in the facts and circumstances of this case.

And for this Act. of kindness, the applicant as in duty bound shall ever pray.