HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 924/2023

Reserved On: **1st June, 2023**
Pronounced on: **9th October 2023**

1. Ab. Hamid Bhat (Aged: 65 years)
S/o Ab. Aziz Bhat
R/o Batamaloo, Srinagar.
And 285 others.....

….. Petitioner(s)

Through: Mr. G.A. Lone, Advocate.

V/s

1. Union Territory of Jammu and Kashmir through Chief Secretary, Civil Secretariat Srinagar/ Jammu.

2. Commissioner Secretary to Government Housing and Urban Development Department, Civil Secretariat Srinagar/ Jammu.

3. Divisional Commissioner, Kashmir, Srinagar.

4. Vice Chairman, Srinagar Development Authority, Bemina Srinagar.

5. Director, Land Management, Srinagar Development Authority, Bemina, Srinagar.

6. Deputy Commissioner, Srinagar.

7. Director, Rakhs and Farms Department, Lal Mandi, Srinagar.

8. Collector Land Acquisition, District Srinagar.

9. Collector Land Acquisition, District Budgam.

10. Sub Divisional Magistrate (Central), Shalteng Srinagar.

11. Chief Engineer, Irrigation and Flood Control Department, Engineering Complex, Near, Silk Factory Road, Rajbagh, Srinagar.

12. Executive Engineer, Irrigation and Mechanical Division, Zaldagar, Srinagar.

…..Respondent(s)

Through: Mr. Mohsin S. Qadri, Sr. AAG with
Mr. Syed Musaib, Dy. AG.

CORAM:

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE.

JUDGMENT

01. In these proceedings under Article 226 of the Constitution, the short question which is posed for the consideration of this court is, "whether, the Petitioners are Camas or Tenants of the subject land or not?" Other prayers are ancillary to it. However, before returning a finding on the said question, this Court, in the facts and circumstances of this case, has to decide whether the writ petition under Article 226 of the Constitution of India would be maintainable?

02. Learned Counsel for the petitioners has confined his arguments to following two issues viz, *first*, to declare that petitioners as tenants of the subject land, not camas. *Second*, alternatively, if petitioners are not held to be tenants, then as camas they are entitled to Rs 12.00 Lacs of compensation per kanal of land as improvement charges, development charges and other charges for taking away the possession of land from them. Also, the Learned Counsel has made a statement at bar that he does not wish to press an application for amendment being CM No. 3017/2023.

ARGUMENTS ON BEHALF OF PETITIONERS:

03. Learned Counsel for Petitioners, Mr. G.A. Lone has submitted that vide J&K Arms Command Order No. 373 Dated 04.04.1949, the Military Farms Department and the Lands (Farms and Rakhs) were transferred to the Revenue Department, J&K. Further, vide cabinet order no. 409-C of 1950 dated 30.03.1950, the Land and Farms, *supra* were formally taken over by the Revenue Department in the then State of J&K. Thereafter, the Revenue Department handed over the management and control of lands to the Rakhs and Farms Department in the erstwhile State of Jammu and Kashmir. The area of land in possession of the Rakhs and Farms Department spread across both the provinces i.e. Jammu and Kashmir.

04. Learned Counsel further submits, at that point of time, there was shortage of food stuffs in the erstwhile State of Jammu and Kashmir, as such a scheme known as *Grow More Food* was introduced by the Government

and the said scheme was implemented by providing Rakhs and Farms Land to marginal, small farmers, landless and needy persons in the locality for cultivation as tenants.

05. Learned Counsel further submits that land measuring 4200 Kanals belonging to Rakhs and Farms was also available in estate *Rakhe Gund Aksha* which partly fell under District Srinagar and small portion fell in District Budgam. The land remained water lodged but was capable of being cultivated.

06. Learned Counsel further submits that predecessors in interest of the Petitioners being marginal and small farmers and some of them being landless, were provided the land, *supra* for cultivation of food grains as a measure of social security i.e. providing an opportunity of earning livelihood. The predecessors in interest have through their toil and sweat, brought the land into cultivation paddy, peas, vegetables and oil seeds.

07. Learned Counsel further submits that the facilities of irrigation are available to the land and the land at present is a multi cropped land, which is the only source of livelihood to the Petitioners. The predecessors in interest of petitioners and thereafter the petitioners themselves have been continuously in possession of the land and have been cultivating it for around seven decades as tenants. The share of crops is divided between the government through Rakhs and Farms Department and the Petitioners. The share of crops is divided in the ratio of 1/4th produce being paid to the Government through the Rakhs and Farms Department and 3/4th share along with grass is the agreed share of the Petitioners. The position of sharing the crops as tenants and landlords has been arranged from the time of delivery of possession to the petitioners and their predecessors in interest under the Grow More Scheme.

08. Learned Counsel for Petitioners further submits that vide Government Order No. LB-6/C of 1958 dated 05.06.1958, the Petitioners were entitled to be recorded as *tenants at will* and thereafter under Government Order No. S-432 of 1966 dated 03.06.1966, they were entitled to be recorded as owners of the land on payment of price then fixed by the Government for conferment of such rights. Relevant revenue authorities at

that point in time, failed to exercise the powers of attestation of mutation in favour of the petitioners under the aforesaid government orders but the failure on the part of the revenue authorities shall not be allowed to denude the petitioners from the rights as created in their favour under the aforementioned government order.

09. Learned Counsel for the petitioners further submits that vide Government Order No. 191-HUD of 2000 dated 24-08-2000 sanction was accorded by the Government to the transfer of land, *supra* measuring 4200 Kanals, 19 Marlas falling in Khasra No. 1 to 10, 12,71 to 75, 78, 79 and 80 in village Rakh Gund Akshan, Tehsil and District Srinagar to District Development Authority on payment of improvement charges as fixed by the Revenue Department. On perusal of the government order no. 191-HUD of 2000, it is crystal clear that the government has resumed the Rakh land in Bemina for development of housing colony. After the transfer of land to Srinagar Development Authority, the Petitioners have continued to remain in possession of the land as tenants paying rent to the extent of 1/4th of the produce of crops to the government through Rakhs and Farms Department.

10. The learned Counsel for petitioners has admitted that the Petitioners have filed one suit, before the court of District Judge, Srinagar, wherein, they challenged the Government order no. 191-HUD of 2000 dated 24.08.2000, whereby the subject land was transferred to Srinagar Development Authority. It has been submitted that in another suit i.e. second suit, the Petitioners sought protection of their possession by filing a suit for permanent injunction against the government. Both the suits were not subsequently prosecuted, as such these suits were dismissed in default. The applications for restoration of suits are pending adjudication.

11. Learned Counsel for petitioners submits that now vide Government order no. 298-HUD of 2018 dated 12-10-2018, sanction has been accorded to the payment of improvement charges to the Camas i.e. Petitioners of left over land of 3760 Kanals transferred to Srinagar Development Authority for setting up of a Smart Satellite Township at Rakh-i-Gund Akashah at Bemina, Srinagar. Further, this order says that the improvement charges shall be paid to the Camas i.e Petitioners at the same

rates as have been paid to Camas for acquisition of similar kind of land for the Central University, Ganderbal i.e. at the rate of Rs. 60000 Per Kanal for non-irrigated non-paddy fields and Rs. 1.20 Lacs Per Kanal for Abi-Awal Paddy Land, instead of Rs. 40000 Per kanal, uniformly fixed through Government order 132-HUD of 2001 dated 28-05-2001. Subsequently, the petitioners have filed an application for seeking amendment of prayer clause to enable the Petitioners to seek quashment of Government Order No. 56-JK (Rev) of 2022 dated 17.03.2022. However at the time arguments, the Petitioners stated at bar that they are not pressing for adjudication of said application for amendment and prayed that the matter may be adjudicated, finally.

12. Learned Counsel for the petitioners submits that now through an advertisement notice dated 15-02-2023, Srinagar Development Authority has invited applications from the general public on the prescribed application, available on E-Portal on the J&K Housing Mission initiated by the Srinagar Development Authority (SDA) for advance registration of residential plots intended for construction of residential houses on the part of the land in possession of the petitioners as tenants measuring 49 Hectares of land The advertisement notice shows that each plot of land which is slightly less than 1 Kanal in area, is priced at Rs. 83 Lacs and a smaller size of plot with 85x45 Ft. dimension, is priced at Rs. 64 Lacs and lesser size plot is priced at Rs. 42 Lacs having an area of 75x36 Ft. Further, it has been submitted that the impugned advertisement notice and the project report shows that the Satellite Township is being constructed in Rakh-i-Gund Aksha on the land which is in possession of the Petitioners.

13. Learned Counsel for the petitioners submits that the petitioners are not Camas but tenants, as such it is incumbent on the Government to initiate a process of acquisition under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-Settlement Act, 2013 and pay compensation to the petitioners at the market value to be assessed in terms of the said Act.

14. The learned Counsel for petitioners confines his prayer to the limited issue only i.e. to declare the petitioners as tenants and has made a

statement at bar that they (petitioners) are not opposing the transfer of land to the Srinagar Development Authority and development of Satellite Township.

ARGUMENTS ON BEHALF OF RESPONDENTS:

15. *Per-contra,* the Counsel for the Respondents, Mr. Mohsin Qadri, the learned Senior Additional Advocate General, submits that petitioners have, on the same cause of action, already instituted two Civil Suits before the trial court with respect to the subject land transferred to Srinagar Development Authority and the said civil suits stand dismissed, and the applications for restoration are pending adjudication, as such, present writ petition is not maintainable.

16. Learned Counsel further submits that petitioners are Camas (Labourers) and not Tenants as claimed by the petitioners in the Writ Petition. Also, 80 Camas of the Rakhs and Farms Department have already been paid improvement charges at the rate of Rs. 40,000/- per kanal in the year 2003.

17. Learned Counsel for Respondents further submits that vide Government order no. 132-HUD of 2001 dated 28-05-2001 the subject land has been resumed from the Rakhs and Farms Department by the Government and transferred to SDA for development of Satellite Township, as such the Government is not supposed to acquire its own land.

18. Learned Counsel further submits that amongst the total land transferred to Srinagar Development Authority in the year 2000, certain parcels of land have been transferred in favour of Department of Law and Parliamentary Affairs for construction of J&K High Court Complex and also to Industries Department for setting up Medi-City and this has been done in public interest.

19. Learned Counsel further submits that Petitioners cannot claim to be tenants as the land in question is the state land which has been resumed from the Rakhs and Farms Department. Only Camas can make a claim for payment of improvement charges as fixed by the Government. That none of the rights of the Petitioners are infringed by the launch of Satellite Township

project for allotment of plots. Further, it has been pleaded that the petitioners cannot stall a development project initiated in public interest on the basis of raising disputed question of facts in writ proceedings as the same cannot be adjudicated in the writ petition. It has further been submitted that Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation Re-Settlement Act, 2013 is not applicable to the petitioners case as the petitioners are not owners of the land in question besides the land in question is State Land. It is pertinent to mention herein that the Respondents in their reply at Para 11 of their reply that the petitioners are Camas and are entitled to improvement charges as fixed by the Government.

20. Learned Counsel for the Respondents further submits that petitioners have tried to mislead this Hon'ble court by pleading that Petitioners have recently come to know about the Government order no. 292-HUD of 2018 dated 12-10-2018 just to come out of the wriggle of doctrine of latches.

21. Learned Counsel for Respondents further submits that the Petitioners cannot claim the amount of Rs. 12 Lac per kanal as improvement charges as the matter of right; government has already fixed rates for payment for improvement charges in favour of Camas and at this belated stage the petitioners cannot take the plea that they were not unaware of the Government order no. 298-HUD of 2018 dated 12-10-2018.

22. It has been submitted that the Petitioners in order to stall the development project are trying to mislead this Hon'ble court by submitting wrong fact.

ISSUES TO BE ANSWERED BY THIS HON'BLE COURT

a. Whether the writ petition is maintainable in light of an admitted fact on behalf of the Petitioners that they had earlier filed two Civil Suits with regard to subject land and those suits have been dismissed in default, however, the applications for restoration of the said suits are pending adjudication.

b. If the aforesaid issue is decided in affirmative, then the second question will be whether the Petitioners are barred to maintain writ petition on the ground of delay and laches.

c. If, both of the aforementioned issues are answered in affirmative, whether the Petitioners are Camas or Tenants. It may be noted if first question is answered against the petitioners, then the rest of the questions need not be answered.

PLACING ON RECORD THE COPIES OF SUITS

23. That Petitioners have vaguely mentioned in their pleadings that they have filed two other suits related to subject land, accordingly this Court directed the petitioners to place on record the copies of suits Accordingly, the counsel of the petitioners has placed on record the copies of both the suits. On perusal of the pleadings and prayer clause in the said suits, it is plainly decipherable that sum and substance of the cause of action in both the suits and present writ petition is identical i.e. to declare the petitioners as protected tenants and not to dispossess the petitioners from the subject land with a further relief to quash the government order whereby the subject land has been transferred to Srinagar Development Authority in the year 2000.It is pertinent to mention here that the copies of orders dismissing suits in default for non prosecution were not placed on record with the aforementioned suits. However, parties submitted the hard copies of said orders after the case was reserved for judgment. Both these orders are made part of the record. On perusal of the two orders dated 04.04.2012 passed in two suits *supra,* it is apparent from the order of dismissal of the suits that both suits were dismissed in default when the counsel for the defendants was present and the plaintiffs (petitioners herein) and their counsel were absent. For facility of reference, the principal prayer made in one of the suits mentioned herein above is reproduced as under:

> ***"a. To pass a decree for declaration to the effect since the plaintiffs are the protected tenants and their status of being***

protected tenants is protected by the tenancy laws and cannot be thrown out or evicted under such law.

b. To pass a decree for declaration to the effect that the impugned government order No. 191 HUD of 2000 dated 24.08.2000 is against the spirit of law as applicable to the land in possession and ownerships of the plaintiffs.

……."

LEGAL ANALYSIS

24. The preliminary objection taken by the Respondents is that the reliefs prayed for in by the petitioners in the present writ petition is barred by the principle of res-subjudice. Upon examination of the averments of the present writ petition, it is seen that the Petitioners have admitted in Paragraph No. 7 (Seven) of writ petition that they have earlier filed two suits with regard to subject land before the trial court and both those suits have been dismissed in default and the application for restoration of the suit is pending adjudication in both the suits.

25. The suits have been dismissed in default, such dismissal for default, which stands till restoration is allowed, if at all, obviates the scope of applying the principle of res-subjudice. However, applying the principle of Order IX Rules 8 and 9 of the Civil Procedure Code, 1908, if the cause of action in the suits and present writ petition is identical, then petitioners are barred from seeking similar reliefs in the present writ petition. For facility of Reference, Order IX Rule 8 and 9 are reproduced hereunder:

"8. Procedure where defendant only appears.- *Where the defendant appears and the plaintiff does not appear when the suit is called on for hearing, the court shall make an Order that the suit be dismissed, unless the defendant admits the claim, or part thereof, in which case the court shall pass a decree against the defendant upon such admission, and, where part only of the claim has been admitted, shall dismiss the suit so far as it relates to the remainder."*

"9. Decree against plaintiff by default bars fresh suit.

(1) *Where a suit is wholly or partly dismissed under rule 8, the plaintiff shall be precluded from bringing a fresh suit in respect of the same cause of action. But he may apply for an order to set the dismissal aside, and if he satisfies the Court that there was sufficient cause for his non-appearance when the suit was called on for hearing, the Court shall make an order setting aside the dismissal upon such terms as to costs or otherwise as it thinks fit. and shall appoint a day for proceeding with suit.*

(2) *No order shall be made under this rule unless notice of the application has been served on the opposite party."*

26. Order IX Rule 9 bars fresh suit or proceedings in respect of the same cause of action in case the earlier suit was dismissed as indicated in Order IX Rule 8 of the CPC. The term "same cause of action" assumes significance in as much as the bar under Order IX Rule 8 of the CPC applies to a later suit only in respect of the very same cause of action. In case the cause of action in the later suit was altogether different, which has nothing to do with the cause of action in the earlier suit; the statutory bar has no application to such later suits. It was only with a view to curb the tendency of filing multiple suits, on the basis of the very same cause of action, successively even after the dismissal of the earlier suit that such a provision has been introduced. It was not the intention of the Legislature to bar the subsequent suits between the parties and the same was evident by the qualifying words, "same cause of action". Therefore, everything depends upon the cause of action and in case the subsequent cause of action arose from a totally different bunch of facts, such suit cannot be axed by taking shelter to the provision of Order IX Rule 9 of CPC. This being the legal position, it becomes important to mention herein that the Hon'ble Supreme Court of India in its various judicial pronouncements has laid down that although the Civil Procedure Code may not be applicable in its entirety in writ proceedings but the principles enshrined therein apply with full force. Consequently, in view of the principles enshrined under Order IX Rule 9 prohibiting filing of a second suit for same cause of action, it would

necessarily imply that on the same cause of action which was wholly or partly subject matter of suit filed by petitioner earlier and which has been dismissed in default for non appearance of the plaintiffs, a writ petition under Article 226 is not maintainable.

27. This Court is fortified by the view taken by the Division Bench of the Allahabad High Court in the case of ***Sheo Nath Dubey v. District Inspector of Schools*, 1985 SCC OnLine All 799 : 1986 AWC 648,** wherein, it was held as under: -

> ***"12. In the rejoinder affidavit, the petitioner has come out with an excuse for not disclosing the fact of dismissal of the suit in the writ petition which appears to us to be a lame one His explanation is that as he was not getting leave from the College for pursuing the suit, he had no alternative but to leave the same. It was his duty to have disclosed the said fact in the writ petition. Be that as it may from the order it appears that on the date when the suit was taken up, the defendant was present in the court and the order indicates that the petitioner had since failed to show cause for which be had been granted time, it was dismissed for want of prosecution. To the filing of the writ petition, the principle of Order IX Rule 9 applied. In the view of the applicability of the principle, the present writ petition was barred. It is true that Order IX Rule 9 applies to a civil suit in terms but, as stated above Order IX Rule 9, being behind the idea that no body should be harassed unnecessarily by fresh proceedings one after the other, would apply to the maintainability of the writ petition also."***

28. Furthermore, in another case titled***Prem Narain Nigam vs : The State of U.P. and Ors.,*** 2006(7)ADJ228 the Court held as under:

> ***"19. The Hon'ble Supreme Court in the cases of Regional Food Controller, Meerut and Anr. v. Hazari Mal Radha Kishan, Commission Agent, RDTD. Firm At Pakka Bagh,***

Hapur, District Meerut through its Partner Om Prakash 1966 64 ALJ 528, Sarguja Transport Service v. State Transport Appellate Tribunal, Gwalior and Ors.MANU/SC/0114/1986 : [1987]1SCR200 , In re: Udai Narain Rai1992 A.L.J. 274, Tata Press Limited v. Mahanagar Telephone Nigam Limited and Ors. MANU/SC/0745/1995 : AIR1995SC2438 Ashok Kumar Srivastav v. National Insurance Company Ltd. and Ors. MANU/SC/0314/1998 : [1998]2SCR1199 ,Commissioner of Endowments and Ors. v. Vittal Rao and Ors. MANU/SC/1003/2004 : AIR2005SC454 has specifically laid down that although Civil Procedure Code may not be applicable in its entirety in writ proceeding but principle enshrined therein apply with full force. Consequently, in view of the principle, prohibiting bringing of a second suit for same cause of action would necessarily apply that a writ petition for the same cause of action which was wholly or partly subject matter of suit filed by plaintiff-petitioner earlier and which has been dismissed in default would be precluded."

29. What is a cause of action is now settled beyond any doubt. The classic definition of that expression is that of Lord Justice Brett in *Jay Cook* v. *Henry S. Gill* reported in [L.R.] 8 C.P. 107 as under:

> ***"Cause of action' has been held from the earliest time to mean every fact which is material to be proved to entitle the plaintiff to succeed, — every fact which the defendant would have a right to traverse."***

30. Lord Justice Fry put it in the negative by saying, "***Everything which, if not proved, gives the defendant an immediate right to judgment, must be part of the cause of action.***" This definition is the basis of all subsequent decisions containing an interpretation of the **expression 'cause of action.'** It was accepted in by the Privy Council in *Mohammad Khalil Khan* v. *Mahbub Ali Mian* reported in AIR 1949 PC 78.

31. The principles for determining whether the causes of action in two suits/proceedings are different or not were laid down by the Privy Council in *Mohammad Khalil Khan v. Mahbub Ali Khan AIR 1949 PC 78* and referred to with approval by the Hon'ble Supreme Court in *Suraj Rattan Thirani v. Azamabad Tea Company AIR 1965 SC 295*.The Hon'ble Court has held as under:

> ***"29. We consider that the test adopted by the Judicial Committee for determining the identity of the causes of action in two suits in Mohammed Khalil Khan v. Mahbub Ali Mian [75 IA 121] is sound and expresses correctly the proper interpretation of the provision. In that case Sir Madhavan Nair, after an exhaustive discussion of the meaning of the expression "same cause of action" which occurs in a similar context in para (1) of Order 2 Rule 2 of the Civil Procedure Code observed:***
>
> ***"In considering whether the cause of action in the subsequent suit is the same or not, as the cause of action in the previous suit, the test to be applied is/are the causes of action in the two suits in substance — not technically — identical?"***
>
> ***30. The learned Judge thereafter referred to an earlier decision of the Privy Council in Soorijomonse Dasee v. Suddanund [(1873) 12 Beng LR 304, 315] and extracted the following passage as laying down the approach to the question:***
>
> > ***"Their Lordships are of opinion that the term 'cause of action' is to be construed with reference rather to the substance than to the form of action…."***

32. Correspondingly, on careful examination of the averments made in the both suits, *supra* filed before trial court and the orders whereby, the suit has been dismissed in default, it is crystal clear that cause of action in substance in those civil suits and this writ petition is identical. The principle substantial cause of action in both suits and present writ petition is same i.e.

to decide declare petitioners as tenants, other prayers are ancillary to it; also, the question is whether the further allegations about allocation of land for construction of, Medi-City and Satellite township has really destroyed the basic and substantial identity of the causes of action in the two proceedings i.e. two suits and the present writ petition. This can be answered only in the negative. As such, the essential bundle of facts on which the petitioners have based their right to relief were identical in the two suits and the present writ petition. Further, it is apparent from the order of dismissal of the suits that both suits were dismissed under the provisions of Order IX Rule 8 of the CPC as the counsel for the defendants was present and the plaintiffs (petitioners herein) and their counsel were absent. Therefore, to this extent, the writ petition is substantially barred by Order 9 Rule 9 of CPC.

33. However, the petitioners have made an alternative prayer, wherein, they have sought a relief that if petitioners are held to be camas then the petitioners be paid Rs 12.00 Lacs as improvement charges, development charges and other charges for taking away the possession of land from petitioners. It is pertinent to mention herein that the Respondents in their reply at Para 11 have admitted that the petitioners are camas and are entitled to improvement charges as fixed by the Government. The government vide Order No. 298-HUD of 2018 dated 12.10.2018 has provided for payment of improvement charges to the camas i.e. petitioners. This issue was neither directly nor substantially raised in the suits mentioned herein above. To this extent, the court takes note of a fact that Government Order No. 298-HUD of 2018 dated 12.10.2018 has relied on the *assessment for payment of compensation to camas* made in the year 2001. For facility of reference, the said Government Order is reproduced as under: -

> ***"Sanction is hereby accorded to the payment of improvement charges to the Kamas of leftover land of 3760 canals transferred to the Srinagar Development Authority for setting up of a Smart Satellite Township at Rakh-i-Gund Akashah at Bemina Srinagar at the same rates as have been paid to Kamas for acquisition of similar kind of land for the Central University Ganderbal i.e. @Rs 60,000 per kanal for***

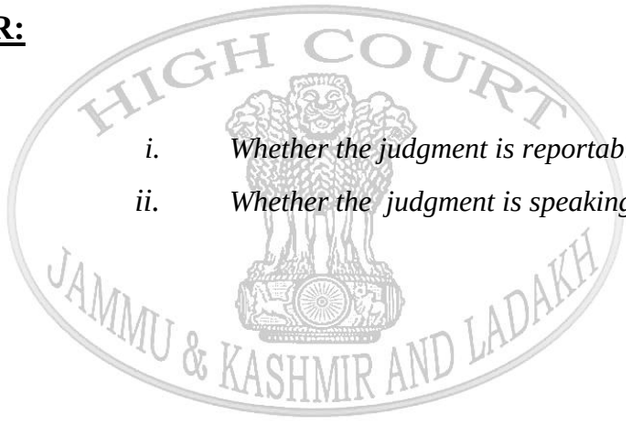
non-irrigated non-paddy fields & Rs 1.20 lac per kanal for abi awwal paddy land, instead of Rs 40,000/- per kanal, uniformly fixed through the Govt, Order No. 132-HUD of 2001 dated 28.05.2001"

34. Paying of compensation/improvement charges to camas on the basis of assessment/valuation done years ago, i.e., in the year 2001, is arbitrary. As such, I am of the considered opinion that the Respondents have to reassess the amount of compensation/improvement charges to be paid to camas (petitioners herein) based on the parameters/formula to be taken into count as per rules. As a necessary corollary, Respondents are directed to reassess the payment of improvement charges to be paid to the camas including petitioners within a period of two months.

35. Having regard to what has been observed and discussed hereinabove, the petition is accordingly **disposed** of along with connected CM(s). Interim orders, if any, stand vacated.

(Wasim Sadiq Nargal)
Judge

SRINAGAR:
09.10.2023
"Hamid"



i. Whether the judgment is reportable? Yes
ii. Whether the judgment is speaking? Yes