

राज्य निर्वाचन आयोग, राजस्थान

(द्वितीय तल, विकास खण्ड, सचिवालय, जयपुर-302005)

क्रमांक: एफ.6(1)(1)पंचा/रानिआ/2014-15/8963

जयपुर, दिनांक: 28.11.2014

समस्त जिला निर्वाचन अधिकारी
(पंचायत) (कलक्टर) राजस्थान।

विषय:- पंचायती राज संस्थाओं के आम चुनाव, 2015 – निर्वाचक नामावलियों के संबंध में
संदर्भ:- आयोग का पत्रांक 8930 दिनांक 27.11.2014

महोदय,

आयोग के संदर्भित पत्र द्वारा पंचायतीराज संस्थाओं की निर्वाचक नामावलियों की तैयारी हेतु कार्यक्रम जारी किया जा चुका है। जिसमें यह निर्देश दिया गया है कि जिन पंचायती राज संस्थाओं (ग्राम पंचायत, पंचायत समिति व जिला परिषद) के वार्डों (एकल सदस्य निर्वाचन क्षेत्र) पुनर्गठन/पुनर्समीकरण को अंतिम एवं अधिसूचित नहीं करने के संबंध में माननीय उच्च न्यायालय द्वारा स्थगन दिया हुआ है, उनकी मतदाता सूचियों का प्रारूप प्रकाशन आगामी आदेशों तक नहीं करवाया जाना है। मतदाता सूचियों के प्रकाशन कार्यक्रम में माननीय उच्च न्यायालय के स्थगन आदेशों की पालना भी सुनिश्चित की जावे।

उक्त के संबंध में कई जिला निर्वाचन अधिकारियों द्वारा जानकारी चाही जा रही है कि उनके क्षेत्र में किन-किन पंचायतों के संबंध में स्थगन आदेश जारी किये हुए हैं, जिससे उनकी मतदाता सूची का प्रारूप प्रकाशन कराया जा सके।

इस संबंध में लेख है कि पंचायती राज संस्थाओं (ग्राम पंचायत, पंचायत समिति व जिला परिषद) के वार्डों (एकल सदस्य निर्वाचन क्षेत्र) पुनर्गठन/पुनर्समीकरण करने का प्राधिकार राज्य सरकार में निहित है। इस संबंध में आयोग को कोई प्राधिकार नहीं है। इस कारण पुनर्गठन/पुनर्समीकरण के विरुद्ध माननीय उच्च न्यायालय में प्रस्तुत की जाने वाली याचिकाओं में राज्य निर्वाचन आयोग को पक्षकार नहीं बनाया गया है।

ऐसे प्रकरणों में मुख्य पक्षकार राज्य सरकार (पंचायती राज विभाग) एवं जिला निर्वाचन अधिकारी हैं। अतः किन-किन क्षेत्रों में माननीय उच्च न्यायालय द्वारा स्थगन आदेश जारी किये गये हैं, उनके संबंध में अपने स्तर पर या पंचायतीराज विभाग से सूचना प्राप्त करें।

आयोग में प्राप्त स्थगन आदेश दिनांक 20.11.2014 एवं रिट याचिकाओं का विवरण जिनमें स्थगन आदेश दिया गया है, संलग्न कर भिजवाई जा रही है।

संलग्न:- उपरोक्तानुसार.


(सत्यप्रकाश बसवाला)
मुख्य निर्वाचन अधिकारी एवं सचिव,
राज्य निर्वाचन आयोग,
राजस्थान, जयपुर
दिनांक: 28.11.2014

क्रमांक: एफ.6(1)(1)पंचा/रानिआ/2014/8964-69
प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु :-

1. निजी सचिव, आयुक्त, राज्य निर्वाचन आयोग, राजस्थान, जयपुर।
2. प्रमुख शासन सचिव, ग्रामीण विकास एवं पंचायतीराज विभाग, राज0, जयपुर।
3. आयुक्त एवं सचिव, ग्रामीण विकास एवं पंचायतीराज विभाग, राज0 जयपुर।
4. निजी सचिव/सहायक, सचिव/उपसचिव, राज्य निर्वाचन आयोग, राज., जयपुर।
5. जिला निर्वाचन अधिकारी, उदयपुर को उनके पत्रांक 1489/28.11.2014 एवं जिला निर्वाचन अधिकारी, टोंक को ई-मेल दिनांक 28.11.2014 एवं कार्यालय निर्वाचक रजिस्ट्रीकरण पदाधिकारी (एस.डी.एम.) बस्सी, जयपुर को उनके पत्रांक 11607/28.11.2014 के संबंध में।
6. कम्प्यूटर शाखा को आयोग की वेबसाइट पर अपलोड करने तथा समस्त जिला निर्वाचन अधिकारियों को ई-मेल करने हेतु।

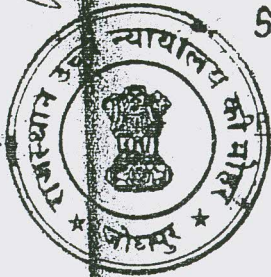

(अशोक कुमार जेन)
उप सचिव,

Certified P.S. Copy of order dt. 20/11/14.

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IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. CIVIL WRIT PETITION NO. 8157/2014



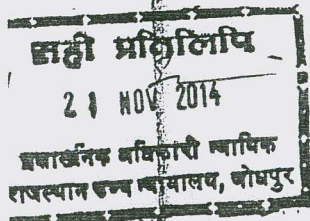
PETITIONERS:

1. Mushe Khan s/o Shri Hazi Khan, aged 50 years, by caste Sindhi Musalman, resident of village Surayaudai Nagar, Panchayat Samiti Shergarh, Tehsil Shergarh, District Jodhpur
2. Sawane Khan s/o Shri Khemme Khan, aged 52 years, by caste Sindhi Musalman, resident of village Surayaudai Nagar, Panchayat Samiti Shergarh, Tehsil Shergarh, District Jodhpur

VERSUS

RESPONDENTS:

1. State of Rajasthan, through the Principal Secretary, Department of Rural Development and Panchayati Raj, Government of Rajasthan, Jaipur
2. Secretary to the Govt. and Commissioner, Department of Rural Development and Panchayati Raj, Government of Rajasthan, Jaipur
3. District Collector, Jodhpur



20/11/14



2A

4. Sub Divisional Officer, Shergarh, District

Jodhpur.

5. State Election Commission, Rajasthan through its
WRIT PETITION Secretary, Jaipur

UNDER ARTICLE 226

OF THE CONSTITUTION OF INDIA

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IN THE MATTER OF

RAJASTHAN PANCHAYATI RAJ ACT 1994 AND RULES

FRAMED THEREUNDER

AND

IN THE MATTER OF

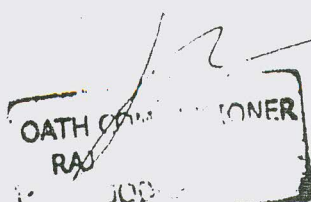
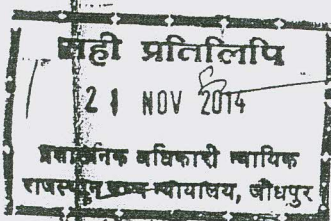
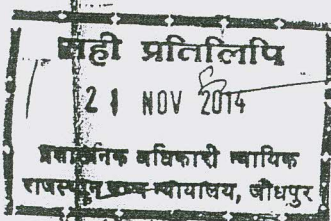
NOTIFICATION DATED 05.11.2014 ISSUED BY

DEPARTMENT OF RURAL DEVELOPMENT AND

PANCHAYATI RAJ, GOVERNMENT OF RAJASTHAN,

JAIPUR

AND



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① S.B. CIVIL WRIT PETITION NO. 8157/2014.
Mushe Khan & Anr. Vs. The State of Rajasthan & Ors.

② S.B. CIVIL WRIT PETITION NO. 7127/2014.
Surajbhan & Ors. Vs. The State of Rajasthan & Ors.

③ S.B. CIVIL WRIT PETITION NO. 8064/2014.
Indraj & Ors. Vs. The State of Rajasthan & Ors.

④ S.B. CIVIL WRIT PETITION NO. 8074/2014.
Hakam Ali Khan & Ors. Vs. The State of Rajasthan & Ors.

⑤ S.B. CIVIL WRIT PETITION NO. 8085/2014.
Samir Khan & Ors. Vs. The State of Rajasthan & Ors.

⑥ S.B. CIVIL WRIT PETITION NO. 8092/2014.
Ganpat Lal & Ors. Vs. The State of Rajasthan & Ors.

⑦ S.B. CIVIL WRIT PETITION NO. 8117/2014.
Sujana Ram & Ors. Vs. The State of Rajasthan & Ors.

⑧ S.B. CIVIL WRIT PETITION NO. 8119/2014.
Vishna Ram Vs. The State of Rajasthan & Ors.

⑨ S.B. CIVIL WRIT PETITION NO. 8130/2014.
Ram Dayal & Ors. Vs. The State of Rajasthan & Ors.

⑩ S.B. CIVIL WRIT PETITION NO. 8133/2014.
Mangtu Khan & Anr. Vs. The State of Rajasthan & Ors.

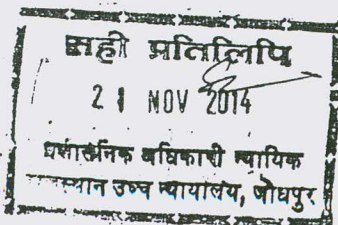
11. S.B. CIVIL WRIT PETITION NO. 8134/2014.
Narayan Singh Malya & Ors.
Vs.
The State of Rajasthan & Ors.

12. S.B. CIVIL WRIT PETITION NO. 8135/2014.
Hansraj Gorchiya & Anr.
Vs.
The State of Rajasthan & Ors.

13. S.B. CIVIL WRIT PETITION NO. 8136/2014.
Sultan Khan & Ors.
Vs.
The State of Rajasthan & Ors.

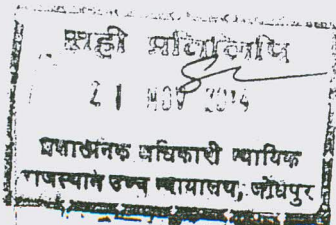
14. S.B. CIVIL WRIT PETITION NO. 8138/2014.
Sajjan Dan & Anr.
Vs.
The State of Rajasthan & Ors.

15. S.B. CIVIL WRIT PETITION NO. 8140/2014.
Ramesh Chandra Vs. The State of Rajasthan & Ors.



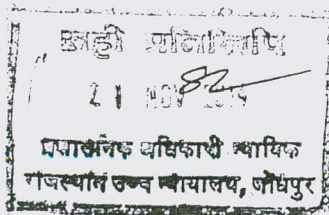


16. **S.B. CIVIL WRIT PETITION NO. 8145/2014.**
Lakhu Das Vs. The State of Rajasthan & Ors.
17. **S.B. CIVIL WRIT PETITION NO. 8155/2014.**
Ajeet Singh & Ors Vs. The State of Rajasthan & Ors
18. **S.B. CIVIL WRIT PETITION NO. 8156/2014.**
Nathudan & Ors Vs. The State of Rajasthan & Anr.
19. **S.B. CIVIL WRIT PETITION NO. 8207/2014.**
Shabbu Khan Padihar Vs. The State of Rajasthan & Ors
20. **S.B. CIVIL WRIT PETITION NO. 8209/2014.**
Mani Lal Vs. The State of Rajasthan & Ors.
21. **S.B. CIVIL WRIT PETITION NO. 8211/2014.**
Asu Lal & Ors Vs. The State of Rajasthan & Ors
22. **S.B. CIVIL WRIT PETITION NO. 8262/2014.**
Bhikha Ram & Ors Vs. The State of Rajasthan & Ors
23. **S.B. CIVIL WRIT PETITION NO. 8274/2014.**
Vinod Kumar & Ors.
Vs.
The State of Rajasthan & Ors.
24. **S.B. CIVIL WRIT PETITION NO. 8319/2014.**
Mehboob Khan Vs. The State of Rajasthan & Ors.
25. **S.B. CIVIL WRIT PETITION NO. 8321/2014.**
Shambhu Ram Vs. The State of Rajasthan & Ors
26. **S.B. CIVIL WRIT PETITION NO. 8004/2014.**
Abdul Majid & Anr Vs. The State of Rajasthan & Ors.
27. **S.B. CIVIL WRIT PETITION NO. 8168/2014.**
Prem Siyag & Anr. Vs. The State of Rajasthan & Ors
28. **S.B. CIVIL WRIT PETITION NO. 8194/2014.**
Meere Khan & Ors Vs. The State of Rajasthan & Ors
29. **S.B. CIVIL WRIT PETITION NO. 8359/2014.**
Samsuddin Vs. The State of Rajasthan & Ors
30. **S.B. CIVIL WRIT PETITION NO. 8152/2014.**
Girdhar Singh & Anr. Vs. The State of Rajasthan & Ors
31. **S.B. CIVIL WRIT PETITION NO. 8158/2014.**
Gordhan Ram Vs. The State of Rajasthan & Ors





- 32 S.B. CIVIL WRIT PETITION NO. 8159/2014.
Joga Ram Vs. The State of Rajasthan & Ors.
- 33 S.B. CIVIL WRIT PETITION NO. 8165/2014.
Manohar Singh Vs. The State of Rajasthan & Ors.
- 34 S.B. CIVIL WRIT PETITION NO. 8166/2014.
Someshwar & Ors Vs. The State of Rajasthan & Ors.
- 35 S.B. CIVIL WRIT PETITION NO. 8167/2014.
Laxman Ram Vs. The State of Rajasthan & Ors.
- 36 S.B. CIVIL WRIT PETITION NO. 8172/2014.
Banwari Lal Vs. The State of Rajasthan & Ors.
- 37 S.B. CIVIL WRIT PETITION NO. 8174/2014.
Ramu Ram & Anr Vs. The State of Rajasthan & Ors.
- 38 S.B. CIVIL WRIT PETITION NO. 8182/2014.
Bhaga & Ors. Vs. The State of Rajasthan & Ors.
- 39 S.B. CIVIL WRIT PETITION NO. 8184/2014.
Devi Lal & Ors Vs. The State of Rajasthan & Ors.
- 40 S.B. CIVIL WRIT PETITION NO. 8186/2014.
Deva Ram Vs. The State of Rajasthan & Ors.
- 41 S.B. CIVIL WRIT PETITION NO. 8201/2014.
Madan Lal & Ors. Vs. The State of Rajasthan & Ors.
- 42 S.B. CIVIL WRIT PETITION NO. 8210/2014.
Sukh Ram Vs. The State of Rajasthan & Ors.
- 43 S.B. CIVIL WRIT PETITION NO. 8222/2014.
Bheru Lal Vs. The State of Rajasthan & Ors.
- 44 S.B. CIVIL WRIT PETITION NO. 8236/2014.
Budha Ram & Ors Vs. The State of Rajasthan & Ors.
- 45 S.B. CIVIL WRIT PETITION NO. 8238/2014.
Moola Ram & Ors Vs. The State of Rajasthan & Ors.
- 46 S.B. CIVIL WRIT PETITION NO. 8253/2014.
Harnam & Anr Vs. The State of Rajasthan & Ors.
- 47 S.B. CIVIL WRIT PETITION NO. 8255/2014.
Dinesh Kumar & Ors. Vs. The State of Rajasthan & Ors.
- 48 S.B. CIVIL WRIT PETITION NO. 8258/2014.
Bhanwar Lal & Ors Vs. The State of Rajasthan & Ors.



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48 **S.B. CIVIL WRIT PETITION NO. 8265/2014.**

Villagers of village Suraj Gaon

Vs.

The State of Rajasthan & Ors.

50 **S.B. CIVIL WRIT PETITION NO. 8266/2014.**

Shankar Lal Katara & Anr. Vs. The State of Rajasthan & Ors.

51 **S.B. CIVIL WRIT PETITION NO. 8306/2014.**

Mani Ram & Ors Vs. The State of Rajasthan & Ors.

52 **S.B. CIVIL WRIT PETITION NO. 8307/2014.**

Bahadur Ram & Ors Vs. The State of Rajasthan & Ors.

53 **S.B. CIVIL WRIT PETITION NO. 8315/2014.**

All Villagers of Jui Tamboliya Village

Vs.

The State of Rajasthan & Ors.

54 **S.B. CIVIL WRIT PETITION NO. 8316/2014.**

All Villagers of Jui Talai Village

Vs.

The State of Rajasthan & Ors.

55 **S.B. CIVIL WRIT PETITION NO. 8317/2014.**

Residents of village Bhiludi

Vs.

The State of Rajasthan & Ors.

56 **S.B. CIVIL WRIT PETITION NO. 8348/2014.**

Sajjan Singh & Ors. Vs. The State of Rajasthan & Ors.

57 **S.B. CIVIL WRIT PETITION NO. 8363/2014.**

Bhura Ram & Ors. Vs. The State of Rajasthan & Ors.

58 **S.B. CIVIL WRIT PETITION NO. 8371/2014.**

Shaitana Ram Vs. The State of Rajasthan & Ors.

59 **S.B. CIVIL WRIT PETITION NO. 8372/2014.**

Devi Singh Vs. The State of Rajasthan & Ors.

60 **S.B. CIVIL WRIT PETITION NO. 8373/2014.**

Dinesh Kumar Vs. The State of Rajasthan & Ors.

61 **S.B. CIVIL WRIT PETITION NO. 8374/2014.**

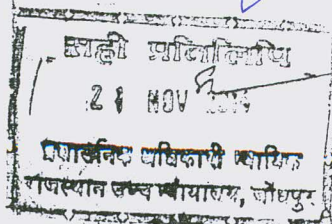
Khanger Singh & Ors. Vs. The State of Rajasthan & Ors.

62 **S.B. CIVIL WRIT PETITION NO. 8375/2014.**

Ghewar Singh & Ors. Vs. The State of Rajasthan & Ors.

63 **S.B. CIVIL WRIT PETITION NO. 8378/2014.**

Ganpat Lal Choudhary & Anr. Vs. The State of Rajasthan & Ors.



64 S.B. CIVIL WRIT PETITION NO. 8379/2014.
Mile Khan & Anr. Vs. The State of Rajasthan & Ors

65 S.B. CIVIL WRIT PETITION NO. 8380/2014.
Jugat Singh Vs. The State of Rajasthan & Ors.

66 S.B. CIVIL WRIT PETITION NO. 8394/2014.
Pabu Ram Vs. The State of Rajasthan & Ors.

67 S.B. CIVIL WRIT PETITION NO. 8395/2014.
Jamaldeer & Anr. Vs. The State of Rajasthan & Ors

68 S.B. CIVIL WRIT PETITION NO. 8399/2014.
Jawana Ram & Ors. Vs. The State of Rajasthan & Ors

69 S.B. CIVIL WRIT PETITION NO. 8400/2014.
Nathu Lal & Ors. Vs. The State of Rajasthan & Ors

70 S.B. CIVIL WRIT PETITION NO. 8401/2014.
Chain Singh & Ors. Vs. The State of Rajasthan & Ors.

71 S.B. CIVIL WRIT PETITION NO. 8402/2014.
Shiv Ram & Anr Vs. The State of Rajasthan & Ors

72 S.B. CIVIL WRIT PETITION NO. 8403/2014.
Ismail Khan & Ors Vs. The State of Rajasthan & Ors

73 S.B. CIVIL WRIT PETITION NO. 8410/2014.
Bal Kishan & Ors. Vs. The State of Rajasthan & Ors

74 S.B. CIVIL WRIT PETITION NO. 8411/2014.
Ram Kishan Khichar Vs. The State of Rajasthan & Ors

75 S.B. CIVIL WRIT PETITION NO. 8412/2014.
Babu Singh Vs. The State of Rajasthan & Ors

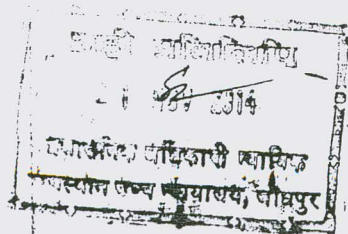
76 S.B. CIVIL WRIT PETITION NO. 8418/2014.
Sohan Lal Kalasua & Ors. Vs. The State of Rajasthan & Ors

77 S.B. CIVIL WRIT PETITION NO. 8419/2014.
Ramesh Maida Vs. The State of Rajasthan & Ors

78 S.B. CIVIL WRIT PETITION NO. 8421/2014.
Magan Lal Vs. The State of Rajasthan & Ors

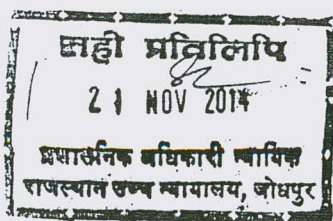
79 S.B. CIVIL WRIT PETITION NO. 8422/2014.
Ramesh Kumar & Ors. Vs. The State of Rajasthan & Ors

80 S.B. CIVIL WRIT PETITION NO. 8423/2014.
Ram Singh Vs. The State of Rajasthan & Ors





- 81 S.B. CIVIL WRIT PETITION NO. 8426/2014.
Mangi Lal Choudhary & Ors. Vs. The State of Rajasthan & Ors
- 82 S.B. CIVIL WRIT PETITION NO. 8427/2014.
Hanumana Ram & Anr. Vs. The State of Rajasthan & Ors
- 83 S.B. CIVIL WRIT PETITION NO. 8428/2014.
Barkat Khan & Ors. Vs. The State of Rajasthan & Ors
- 84 S.B. CIVIL WRIT PETITION NO. 8430/2014.
Sukhdev & Ors Vs. The State of Rajasthan & Ors
- 85 S.B. CIVIL WRIT PETITION NO. 8433/2014.
Heera Ram & Ors. Vs. The State of Rajasthan & Ors
- 86 S.B. CIVIL WRIT PETITION NO. 8435/2014.
Satta Ram & Ors Vs. The State of Rajasthan & Ors
- 87 S.B. CIVIL WRIT PETITION NO. 8436/2014.
Ratan Lal Vs. The State of Rajasthan & Ors
- 88 S.B. CIVIL WRIT PETITION NO. 8441/2014.
Gumna Ram & Ors. Vs. The State of Rajasthan & Ors
- 89 S.B. CIVIL WRIT PETITION NO. 8443/2014.
Roopa Ram & Ors. Vs. The State of Rajasthan & Ors
- 90 S.B. CIVIL WRIT PETITION NO. 8444/2014.
Aming & Anr. Vs. The State of Rajasthan & Ors
- 91 S.B. CIVIL WRIT PETITION NO. 8446/2014.
Rakesh Kumar Jain Vs. The State of Rajasthan & Ors
- 92 S.B. CIVIL WRIT PETITION NO. 8448/2014.
S.B. CIVIL WRIT PETITION NO. 8448/2014.
- 93 S.B. CIVIL WRIT PETITION NO. 8449/2014.
S.B. CIVIL WRIT PETITION NO. 8449/2014.
- 94 S.B. CIVIL WRIT PETITION NO. 8450/2014.
Haru Ram & Anr. Vs. The State of Rajasthan & Ors
- 95 S.B. CIVIL WRIT PETITION NO. 8451/2014.
Samast Gramvasi Gram Parthipura
Vs
The State of Rajasthan & Ors.
- 96 S.B. CIVIL WRIT PETITION NO. 8453/2014.
Jassa Ram & Ors. Vs. The State of Rajasthan & Ors.



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S.B. CIVIL WRIT PETITION NO. 8454/2014.
Amin Khan & Anr Vs. The State of Rajasthan & Ors

98

S.B. CIVIL WRIT PETITION NO. 8455/2014.
Rewant Singh & Ors Vs. The State of Rajasthan & Ors.

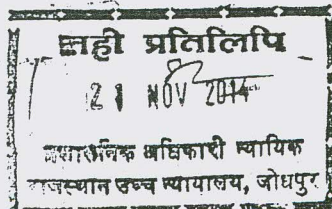
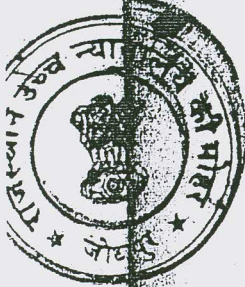
Date of order: 20/11/2014.

P R E S E N T

HON'BLE Mr. JUSTICE SANGEET LODHA

Mr. G.R. Punia, Sr. Advocate with
Mr. Y.P. Khlerree & Mr. Dinesh Jyani,
Mr. Mahesh Bora, Sr. Advocate with
Mr. Ramesh Purohit & Mr. Nishant Bora,
Mr. M.R. Singhvi, Sr. Advocate with
Mr. Mohit Singh & Mr. Hukum Singh,
Mr. Anand Purohit, Sr. Advocate with
Mr. O.P. Sangwa,
Mr. Trilok Joshi, Mr. H.S. Sidhu,
Mr. V.R. Choudhary, Mr. L.S. Jodha,
Mr. Sushil Solanki, Mr. Rakesh Arora,
Mr. Tribhuvan Singh, Mr. M.S. Siddiquie,
Mr. Nitin Trivedi, Mr. Mukesh Rajpurhoit,
Mr. I.R. Choudhary, Mr. Rajesh Choudhary,
Mr. Anil Kumar Singh, Mr. Shambhoo Singh,
Mr. V.D. Gaur, on behalf of
Mr. O.P. Mehta, Mr. D.L.R. Vyas,
Dr. Nupur Bhati, Mr. Ritu Raj Singh,
Mr. R.S. Shekhawat, Mr. Vikas Bijarnia,
Mr. Sunil Beniwal, Mr. Kapil Purohit,
Mr. R.R. Ankiya on behalf of
Mr. V.N. Kalla, Mr. Deepak Nehra,
Mr. M.C. Vishnoi, Mr. K.R. Saharan,
Mr. B.S. Tanwar, Mr. Richin Surana,
Mr. S.S. Rathore, Mr. Rajesh Joshi,
Mr. Sandeep shah, Mr. L.D. Khatri,
Mr. Arjun Purohit, Mr. P. Nayak,
Mr. Bharat Devasi, Mr. Jethu Singh Choudhary,
Mr. D.S. Sodha, Mr. Siddharth Karwasra,
Mr. Ashwani Sharma, Mr. Amit Mehta,
Mr. P.R. Mehta, Mr. M.L. Khatri,
Mr. Kailash Jangid

.... for the respective petitioners.



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Mr. Rajesh Panwar, AAG for the State.
Mr. Sunil Joshi, Assistant to Addl. Advocate General.

<<>>

Mr. Rajesh Panwar, the learned Additional Advocate General seeks a week's time to file reply to the writ petitions, wherein the reply has not been filed so far. Time prayed for is allowed.

List the matter on 01.12.2014, as prayed.

In the meanwhile and until the next date, the State Government shall not finalise and notify the division of wards/constituencies of re-constituted/newly created Gram Panchayats and Panchayat Samities in question pursuant to the impugned Notification No. एफ.15 (1) पुनर्गठन / विधि/ पंरावि / 2014/1473 जयपुर, dated 05.11.2014.

(Mohan)

Saj
(SANGEET LODHA), J.

21/11/14

