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**(2014) 11 AHC CK 0004**  
**In the Allahabad High Court**  
**Case No : C.M.W.P. No. 55965 of 2014**

Kamala Devi and Others

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

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**Date of Decision :** 17-11-2014

**Acts Referred:**

Civil Procedure Code, 1908 (CPC) — Order 20 Rule 18, Order 26 Rule 13, Order 26 Rule 14(2) 151  
Constitution of India, 1950 — Article 226

**Citation :** (2015) 111 ALR 633

**Hon'ble Judges :** Surya Prakash Kesarwani, J

**Bench :** Single Bench

**Advocate :** I.K. Mishra, Advocate for the Appellant;

**Final Decision :** Dismissed

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## Judgement

Surya Prakash Kesarwani, J.

1. Heard Sri I.K. Mishra, learned Counsel for the petitioners and Sri Siddharth Singh Shreenet, learned Standing Counsel for the State respondent. In compliance to the order dated 16th October, 2014, a counter-affidavit of Sri Praveen Kumar Yadav, Registrar, Hindu Marriage/Sub-Registrar-IIInd, Sadar Bareilly has been filed today before this Court. The original of the alleged Hindu Marriage Certificate of the petitioners dated 10th July, 2014 which was kept under sealed cover by the Registrar General under orders of this Court, dated 16th October, 2014 has been placed before this Court. The sealed cover was opened in presence of learned Counsel for the parties and the Sub-Registrar, Hindu Marriage. The alleged original marriage certificate dated 10th July, 2014 which was produced by the petitioner No. 2 before this Court on 16th October, 2014 and a copy of which has been filed as Annexure No. 2 to the writ petition, has been shown today to the Sub-Registrar Hindu Marriage. This alleged certificate is printed in multi-colour on glazed paper. Registrar Hindu Marriage states that this marriage certificate showing it to be issued by Registrar Hindu

Marriage-IIInd, District Bareilly, dated 10th July, 2014 is absolutely fake. He states that the method of issuing marriage certificate and its proforma has already been explained in the counter-affidavit. The aforesaid Hindu Marriage certificate was produced by the petitioner No. 2 on 16th October, 2014 before this Court which was kept in sealed cover by Registrar General of this Court as aforementioned. It has now been handed over by this Court to the aforesaid Registrar, Sri Praveen Kumar Yadav in presence of learned Counsel for the parties. He shall keep it safely to take appropriate action in accordance with law including lodging of F.I.R. against the petitioners and the persons who managed or prepared such forged certificate in the name of Government Officers.

2. This writ petition has been filed praying for writ, order or direction in the nature of mandamus commanding the respondent authorities not to harass/disturb the petitioners in their peaceful life as husband and wife. After going through the counter-affidavit of the Registrar, Hindu Marriages, learned Counsel for the petitioners states that the petitioners want to withdraw the writ petition. He states that the petitioners do not want to file any rejoinder-affidavit.

3. Prayer is rejected for reason that fake papers have been filed along-with the writ petition and false averments have been made.

4. The petitioners have played fraud on the Court. A trend is being seen in this jurisdiction of security to married couples that number of writ petitions are being filed annexing fake birth certificate, fake voter ID card and fake marriage certificate.

5. Under the circumstances, after it came to light that the writ petition has been filed making false averments and annexing fake papers, prayer of learned Counsel for the petitioner to withdraw the writ petition cannot be allowed.

6. Sri Siddharth Singh Shreenet, learned Standing Counsel submits that this writ petition has been filed by the petitioners making false averment. They have annexed fake papers alongwith the writ petition. A forgery has been committed by the petitioners. He submits that the respondent Nos. 1, 2, 4 and 5 be directed to take an action in the matter so that the person who are engaged in preparing fake marriage certificates may be punished in accordance with law and the practice of filing fake papers alongwith the writ petition may also be checked. He submits that in fact the jurisdiction of this Court has been abused by the petitioners. They deserve for heavy cost to be imposed by this Court.

7. I have heard learned Counsel for the parties.

8. In paragraph Nos. 6 and 7 of the writ petition, the petitioners have stated as under:

"6. That the petitioners solemnized their marriage on 9.7.2014 at Arya Samaj Mandir Savitri Nagar Kargauna, Bareilly was received in this office and accordingly the said application has been registered on 10.7.2014 at volume No. 11 pages 331 at serial No. 653 of the concerned register maintained in this

office. A photo copy of the marriage certificate registered dated 10.7.2014 is being filed herewith and marked as Annexure No. 2 to this writ petition.

7. That the petitioners marriage has been registered and certified that an application under the Uttar Pradesh Hindu Marriage Rules, 1973 in the office of Registrar Hindu Marriage IIInd Sadar District Bareilly Uttar Pradesh India."

9. The respondent No. 5 has stated in paragraph Nos. 6, 7, 8 and 9 of the counter-affidavit as under:

"6. That, after receiving the said letter it was inquired from the marriage register for the current year and it was found that there was no any such alleged certificate dated 10.7.2014 issued by the deponent in favour of Smt. Kamla Devi and Brijraj Singh. It is further submitted on 10.7.2014 there was only one certificate issued in the name of Dr. Hitendra Kumar Singh and Smt. Sushma Devi, which is registered at Volume No. 51, pages 703 to 726 at serial No. 396. For kind perusal of this Hon"ble Court photostat copy of relevant extract of marriage register showing the registration at Volume No. 51, pages 703 to 726 at Serial No. 396 and photostat copy of marriage certificate dated 10.7.2014, issued by the deponent to one Dr. Hitendra Kumar Singh and Smt. Sushma Devi is being filed herewith and marked as Annexure No. 1 collectively to the affidavit.

7. That it is further relevant to mention here that alleged certificate shows volume No. 11, page 333 at serial No. 653, which is not existing. In this regard it is submitted for the current year i.e., 2014 volume No. 53 is running and volume No. 11 is much before issued in earlier year 2007. It is further submitted that on 13.11.2014 the office of deponent issued a marriage certificate in favour of Mr. Pranav Palav and Smt. Sonam Tandan at Volume No. 53, pages 674-699 at serial No. 483. For kind perusal of this Hon"ble Court a photostat copy of last certificate issued from the office of deponent till 13th November, 2014 is being filed herewith and marked as Annexure No. 2 to this affidavit.

8. That, it is further submitted that in view of the aforesaid facts and circumstances it is clear that the aforesaid certificate dated 10.7.2014 is a forged and fabricated one.

9. That, it is further most respectfully submitted that the certificates issued by the office of Registrar-IIInd, Hindu Marriage, Bareilly is totally computerized and system generated which is evident from the certificate annexed herewith in preceding paragraphs of this affidavit."

10. The facts stated in the counter-affidavit are not denied or even proposed to be denied by the petitioners by filing rejoinder-affidavit. This Court has no doubts in mind that false averments have been made in the writ petition and fake Hindu Marriage Certificate, dated 10th July, 2014 has been filed as Annexure No. 2 to the writ petition. The alleged original of the said marriage certificate was also produced by the petitioner before this Court as aforementioned. Petitioners deserve no sympathy because of willful and conscious conduct of making false

averments as well as producing fake marriage certificate.

11. A writ petition which is based on falsehood must be dismissed at the threshold. It is settled law that a person who approaches the Court under Article 226 of the Constitution of India must approach with clean hands, clean mind and clean heart.

12. In the case of United India Insurance Company Ltd. v. B. Rajendra Singh and others JT 2000 (3) SC 151, considering the fact of fraud, Hon''ble Supreme Court held in paragraph 3 as under:

"Fraud and justice never dwell together". (Frans et jus nunquam cohabitant) is a pristine maxim which has never lost its temper overall these centuries. Lord Denning observed in a language without equivocation that "no judgment of a Court, no order of a Minister can be allowed to stand if it has been obtained by fraud, for fraud unravels everything." (Lazarus Estate Ltd. v. Beasley) 1956 (1) QB 702."

13. In the case of Vice Chairman, Kendriya Vidyalaya Sangathan and another v. Girdhari Lal Yadav 2004 (6) SCC 325 , Hon''ble Supreme Court considered the applicability of principles of natural justice in cases involving fraud and held in paragraphs 12 and 13 as under:

"12. Furthermore, the respondent herein has been found guilty of an act of fraud. In opinion, no further opportunity of hearing is necessary to be afforded to him. It is not necessary to dwell into the matter any further as recently in the case of Ram Chandra Singh v. Savitri Devi this Court has noticed : (SCC p. 327 paras 15-19)

"15. Commission of fraud on Court and suppression of material facts are the core issues involved in these matters. Fraud as is well-known vitiates every solemn act. Fraud and justice never dwells together.

16. Fraud is a conduct either by letter or words, which induces the other person, or authority to take a definite determinative stand as a response to the conduct of former either by word or letter.

17. It is also well settled that misrepresentation itself amounts to fraud. Indeed, innocent misrepresentation may also give reason to claim relief against fraud.

18. A fraudulent misrepresentation is called deceit and consists in leading a man into damage by willfully or recklessly causing him to believe and act on falsehood. It is a fraud in law if a party makes representations which he knows to be false, and injury ensues therefrom although the motive from which the representations proceeded may not have been bad."

19. In an action of deceit the plaintiff must prove actual fraud. Fraud is proved when it is shown that a false representation has been made knowingly, or without belief in its truth, or recklessly, without caring whether it be true or false.

A false statement, made through carelessness and without reasonable ground for believing it to be true, may be evidence of fraud but does not necessarily amount to fraud. Such a statement, if made in the honest belief that it is true, is not fraudulent and does not render the person make it liable to an action of deceit.

13. In view of our findings aforementioned that the respondent was guilty of an act of fraud, in our opinion, the Central Administrative Tribunal as also the High Court committed a manifest error in setting aside the order of the appointing authority as also the Appellate Authority."

14. In the case of Ram Chandra Singh Vs. Savitri Devi and Others, , Hon"ble Supreme Court held in paragraphs 15, 16, 17, 18, 25 and 37 as under:

"15. Commission of fraud on Court and suppression of material facts are the core issues involved in these matters. Fraud as is well-known vitiates every solemn act. Fraud and justice never dwells together.

16. Fraud is a conduct either by letter or words, which induces the other person, or authority to take a definite determinative stand as a response to the conduct of former either by word or letter.

17. It is also well settled that misrepresentation itself amounts to fraud. Indeed, innocent misrepresentation may also give reason to claim relief against fraud.

18. A fraudulent misrepresentation is called deceit and consists in leading a man into damage by willfully or recklessly causing him to believe and act on falsehood. It is a fraud in law if a party makes representations which he knows to be false, and injury ensues therefrom although the motive from which the representations proceeded may not have been bad.

25. Although in a given case a deception may not amount to fraud, fraud is anathema to all equitable principles and any affair tainted with fraud cannot be perpetuated or saved by the application of any equitable doctrine including-res-judicata.

37. It will bear repetition to state that any order obtained by practicing fraud on Court is also non-est in the eyes of law."

15. In the case of S.P. Chengalvaraya Naidu (dead) by L.Rs. Vs. Jagannath (dead) by L.Rs. and others, , the Hon"ble Supreme Court held in para 7 as under:

"7. The High Court, in our view, fell into patent error. The shop question before the High Court was whether in the facts and circumstances of this case, Jagannath obtained the preliminary decree by playing fraud on the Court. The High Court, however, went haywire and made observations which are wholly perverse. We do not agree with the High Court that "there is no legal duty cast upon the plaintiff to come to Court with a true case and prove it by true evidence". The principle of "finality of litigation" cannot be pressed to the extent of such an absurdity that it becomes an engine of fraud in the hands of dishonest litigants. The Courts of law are meant for imparting justice between the parties.

One who comes to the Court, must come with clean hands. We are constrained to say that more often than not, process of the Court is being abused. Property-grabbers, tax-evaders, bank-loan-dodgers and other unscrupulous persons from all walks of life find the Court-process a convenient lever to retain the illegal-gains indefinitely. We have no hesitation to say that a person, whose case is based on falsehood, has no right to approach the Court. He can be summarily thrown out at any stage of the litigation."

16. In the case of Jainendra Singh Vs. State of U.P. Tr. Prinl. Section Home and Others, , Hon"ble Supreme Court considered the fact of appointment obtained by fraud and held in para 29.1 to 29.10 as under:

"29.1 Fraudulently obtained orders of appointment could be legitimately treated as voidable at the option of the, employer or could be recalled by the employer and in such cases merely because the respondent-employee has continued in service for a number of years, on the basis of such fraudulently obtained employment, cannot get any equity in his favour or any estoppel against the employer.

29.2 Verification of the character and antecedents is one of the important criteria to test whether the selected candidate is suitable to the post under the State and on account of his antecedents the appointing authority if find not desirable to appoint a person to a disciplined force can it be said to be unwarranted.

29.3 When appointment was procured by a person on the basis of forged documents, it would amount to misrepresentation and fraud on the employer and, therefore, it would create no equity in his favour or any estoppel against the employer while resorting to termination without holding any inquiry.

29.4 A candidate having suppressed material information and/or giving false information cannot claim right to continue in service and the employer, having regard to the nature of employment as well as other aspects, has the discretion to terminate his services.

29.5 Purpose of calling for information regarding involvement in any criminal case or detention or conviction is for the purpose of verification of the character/ antecedents at the time of recruitment and suppression of such material information will have clear bearing on the character and antecedents of the candidate in relation to his continuity in service.

29.6 The person who suppressed the material information and/or gives false information cannot claim any right for appointment or continuity in service.

29.7 The standard expected of a person intended to serve in uniformed service is quite distinct from other services and, therefore, any deliberate statement or omission regarding a vital information can be seriously viewed and the ultimate decision of the appointing authority cannot be faulted.

29.8 An employee on probation can be discharged from service or may be

refused employment on the ground of suppression of material information or making false statement relating to his involvement in the criminal case, conviction or detention, even if ultimately he was acquitted of the said case, inasmuch as such a situation would make a person undesirable or unsuitable for the post.

29.9 An employee in the uniformed service pre-supposes a higher level of integrity as such a person is expected to uphold the law and on the contrary such a service born in deceit and subterfuge cannot be tolerated.

29.10 The authorities entrusted with the responsibility of appointing Constables, are under duty to verify the antecedents of a candidate to find out whether he is suitable for the post of a Constable and so long as the candidate has not been acquitted in the criminal case, he cannot be held to be suitable for appointment to the post of Constable."

(Emphasis supplied by me)

17. In the case of Ram Chandra Singh v. Savitri Devi and others 2004 (54) ALR 400 (SC) : JT 2005 (11) SC 439, Hon"ble Supreme Court has elaborately considered the meaning of the word fraud and its effects and held in para 15 to 34 as under:

"15. Commission of fraud on Court and suppression of material facts are the core issues involved in these matters. Fraud as is well-known vitiates every solemn act. Fraud and justice never dwells together.

16. Fraud is a conduct either by letter or words, which induces the other person, or authority to take a definite determinative stand as a response to the conduct of former either by word or letter.

17. It is also well settled that misrepresentation itself amounts to fraud. Indeed, innocent misrepresentation may also give reason to claim relief against fraud.

18. A fraudulent misrepresentation is called deceit and consists in leading a man into damage by willfully or recklessly causing him to believe and act on falsehood. It is a fraud in law if a party makes representations which he knows to be false, and injury ensues therefrom although the motive from which the representations proceeded may not have been bad.

19. In Derry v. Peek (1889) 14 AC 337, it was held:

In an action of deceit the plaintiff must prove actual fraud. Fraud is proved when it is shown that a false representation has been made knowingly, or without belief in its truth, or recklessly, without caring whether it be true or false.

A false statement, made through carelessness and without reasonable ground for believing it to be true, may be evidence of fraud but does not necessarily amount to fraud. Such a statement, if made in the honest belief that it is true, is not fraudulent and does not render the person liable to an action of deceit.

20. In Kerr on Fraud and Mistake at page 23, it is stated:

"The true and only sound principle to be derived from the cases represented by Slim v. Croucher is this that a representation is fraudulent not only when the person making it knows it to be false, but also when, as Jessel, M.R., pointed out, he ought to have known, or must be taken to have known, that it was false. This is a sound and intelligible principle, and is, moreover, not inconsistent with Derry v. Peek, A false statement which a person ought to have known was false, and which he must therefore be taken to have known was false, cannot be said to be honestly believed in. "A consideration of the grounds of belief", said Lord Herschell, "is no doubt an important aid in ascertaining whether the belief was really entertained. A man's mere assertion that he believed the statement he made to be true is not accepted as conclusive proof that he did so."

21. In Bigelow on Fraudulent Conveyances at page 1, it is stated:

"If on the facts the average man would have intended wrong, that is enough."

22. It was further opined:

"This conception of fraud (and since it is not the writer's, he may speak of it without diffidence), steadily kept in view, will render the administration of the law less difficult, or rather will make its administration more effective. Further, not to enlarge upon the last matter, it will do away with much of the prevalent confusion in regard to "moral" fraud, a confusion which, in addition to other things, often causes lawyers to take refuge behind such convenient and indeed useful but often obscure language as "fraud upon the law". What is fraud upon the law? Fraud can be committed only against a being capable of rights, and "fraud, upon the law" darkens Counsel. What is really aimed at in most cases by this obscure contrast between moral fraud and fraud upon the law, is a contrast between fraud in the individual's intention to commit the wrong and fraud as seen in the obvious tendency of the act in question."

23. Recently this Court by an order dated 3rd September, 2003 in Ram Preeti Yadav Vs. U.P. Board of High School and Intermediate Education and Others, , held:

"Fraud is a conduct either by letter or words, which induces the other person, or authority to take a definite determinative stand as a response to the conduct of former either by words or letter. Although negligence is not fraud but it can be evidence on fraud. (See Derry v. Peek) (1889) 14 AC 337. In Lazarus Estate v. Berly (1956) 1 ALLER 341, the Court of Appeal stated the law thus:

"I cannot accede to this argument for a moment "no Court in this land will allow a person to keep an advantage which he has obtained by fraud. No judgment of a Court, no order of a Minister, can be allowed to stand if it has been obtained by fraud. Fraud unravels everything". The Court is careful not to find fraud unless it is distinctly pleaded and proved; but once it is proved it vitiates judgments, contracts and all transactions whatsoever."

In S.P. Chengalvaraya Naidu (dead) by L.Rs. Vs. Jagannath (dead) by L.Rs. and others, , this Court stated that fraud avoids all judicial acts, ecclesiastical or temporal."

24. An act of fraud on Court is always viewed seriously. A collusion or conspiracy with a view to deprive the rights of the others in relation to a property would, render the transaction void ab initio. Fraud and deception are synonymous.

25. In Arlidge and Parry on Fraud, it is stated at page 21:

"Indeed, the word sometimes appears to be virtually synonymous with "deception", as in the offence (now repealed.) of obtaining credit by fraud. It is true that in this context "fraud" included certain kinds of conduct which did not amount to false pretences, since the definition referred to an obtaining of credit "under false pretences, or by means of any other fraud". In Jones, for example, a man who ordered a meal without pointing out that he had no money was held to be guilty of obtaining credit by fraud but not of obtaining the meal by false pretences: his conduct, though fraudulent, did not amount to a false pretence. Similarly it has been suggested that a charge of conspiracy to defraud may be used where a "false front" has been presented to the public (e.g. a business appears to be reputable and creditworthy when in fact it is neither) but there has been nothing so concrete as a false pretence. However, the concept of deception (as defined in the Theft Act, 1968) is broader than that of a false pretence in that (inter alia) it includes a misrepresentation as to the defendant's intentions; both Jones and the "false front" could now be treated as cases of obtaining property by deception."

26. Although in a given case a deception may not amount to fraud, fraud is anathema to all equitable principles and any affair tainted with fraud cannot be perpetuated or saved by the application of any equitable doctrine including res-judicata.

27. In Smt. Shrisht Dhawan v. Shaw Brothers, it has been held that:

"Fraud and collusion vitiate even the most solemn proceedings in any civilized system of jurisprudence. It is a concept descriptive of human conduct."

28. In S.P. Chengalvaraya Naidu (dead) by L.Rs. Vs. Jagannath (dead) by L.Rs. and others, , this Court in no uncertain terms observed:

"...The principle of "finality of litigation" cannot be passed to the extent of such an absurdity that it becomes an engine of fraud in the hands of dishonest litigants. The Courts of law are meant for imparting justice between the parties. One who comes to the Court, must come with clean hands. We are constrained to say that more often than not process of the Court is being abused. Property-grabbers, tax-evaders, bank-loan dodgers and other unscrupulous persons from all walks of life find the Court-process a convenient lever to retain the illegal gains indefinitely. We have no hesitation to say that a person whose case is based on falsehood, has no right to approach the Court. He can be summarily

thrown out at any stage of the litigation... A fraud is an act of deliberate deception with the design of securing something by taking unfair advantage of another. It is a deception in order to gain by another's loss. It is a cheating intended to get an advantage... A litigant, who approaches the Court, is bound to produce all the documents executed by him, which are relevant to the litigation. If he withholds a vital document in order to gain advantage on the other side then he would be guilty of playing fraud on the Court as well as on the opposite party."

29. In *Indian Bank v. Satyam Fibres (India) Pvt. Ltd.*, this Court after referring to *Lazarus Estates (supra)* and other cases observed that "since fraud affects the solemnity, regularity and orderliness of the proceedings of the Court it also amounts to an abuse of the process of the Court, that the Courts have inherent power to set aside an order obtained, by practising fraud upon the Court, and that where the Court is misled by a party or the Court itself commits a mistake which prejudices a party, the Court has the inherent power to recall its order".

30. It was further held:

"The judiciary in India also possesses inherent power, specially under section 151, C.P.C., to recall its judgment or order if it is obtained by fraud" on Court. In the case of fraud on a party to the suit or proceedings, the Court may direct the affected party to file a separate suit for setting aside the decree obtained by fraud. Inherent powers are powers, which are resident in all Courts, especially of superior jurisdiction. These powers spring not from legislation but from the nature and the constitution of the Tribunals or Courts themselves so as to enable them to maintain their dignity, secure obedience to its process and rules, protect its officers from indignity and wrong and to punish unseemly behavior. This power is necessary for the orderly administration of the Court's business."

31. In *Chittaranjan Das v. Durgapore Project Limited and others*. It has been held:

"Suppression of a material document which affects the condition of service of the petitioner, would amount to fraud in such matters. Even the principles of natural justice are not required to be complied within such a situation.

It is now well known that a fraud vitiates all solemn acts. Thus, even if the date of birth of the petitioner had been recorded in the service returns on the basis of the certificate produced by the petitioner, the same is not sacrosanct nor the respondent-company would be bound thereby."

32. Keeping in view the aforementioned principles, the questions raised in these appeals are required to be considered. The High Court observed that the application of intervention filed by the appellant purported to be under Order XXVI, Rules 13 and 14(2) and Order XX, Rule 18 was not maintainable as they do not confer any power to Court for setting aside a preliminary decree on the ground that it was obtained by practising fraud. But once the principles

aforementioned are to be given effect to, indisputably the Court must be held to have inherent jurisdiction in relation thereto.

33. In *Manohar Lal Chopra v. Raj Bahadur Rao Raja Seth Hiralal*, the law is stated in the following terms:

"The Code of Civil Procedure is undoubtedly not exhaustive: it does not lay down rules for guidance in respect of all situations nor does it seek to provide rules for decision of all conceivable cases which may arise. The Civil Courts are authorized" to pass such orders as may be necessary for the ends of justice, or to prevent abuse of the process of Court, but where an express provision is made to meet a particular situation the Code must be observed, and departure therefrom is not permissible."

34. In *Sharda v. Dharmpal*, a three-Judge Bench, of which both of us are parties, held that directing a person to undergo a medical test by a Matrimonial Court is implicit stating:"

(Emphasis supplied by me)

18. Similar principles with regard to fraud have been laid down by Hon''ble Supreme Court in the case of *The State of Andhra Pradesh and Another Vs. T. Suryachandra Rao, , A.V. Papayya Sastry and Others Vs. Government of A.P. and Others, , Ganpatbhai Mahijibhai Solanki Vs. State of Gujarat and Others, .*

19. In the present set of facts the petitioners have not approached this Court with clean hands, clean mind and clean heart. They have made false averments in the writ petition. They have filed fake papers alongwith the writ petition and have also produced before this Court the fake Marriage Certificate. Such matters should be dealt without any leniency.

20. The respondent Nos. 1, 2, 4 and 5 are directed to take appropriate action in accordance with law against the petitioners and others who prepared fake marriage certificate.

21. The action shall also be taken under the criminal law. it shall be open for the respondent No. 5 to lodge F.I.R. and if any F.I.R. is lodged then respondent Nos. 2 and 4 shall take all steps for quick and qualitative investigation in the matter in accordance with law. Under the circumstances, this writ petition is dismissed with cost of ` 1,00,000/- on the petitioner No. 2 which shall be deposited by the petitioner No. 2 within a month with High Court Legal Cell Authority, Allahabad.