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# Mumbai Attacker's Trial Will Proceed

By [VIKAS BAJAJ](#)

MUMBAI, India — The trial of the only surviving gunman from the [terrorist attack](#) here last year will continue, the presiding judge ruled Thursday, and the attacker's stunning admission of guilt earlier this week will remain part of the record.

After the decision was read in court, the defense lawyer representing [Ajmal Kasab](#), the 21-year-old Pakistani gunman, tried to resign, saying his client had lost confidence in him. But Mr. Kasab denied this, saying he still trusted his lawyer, S. G. Abbas Kazmi.

The judge, M. L. Tahilyani, who has already dismissed one defense lawyer at the start of the trial, pleaded with Mr. Kazmi, whom he hand picked, to stay on the case. After an afternoon recess, Mr. Kasab confirmed that he still wanted Mr. Kazmi to remain his lawyer and the prosecution called its next witness.

It was the second time this week that Mr. Kasab has contradicted his lawyer in court. On Wednesday, Mr. Kazmi said jail guards had "mentally tortured" Mr. Kasab in recent days. Mr. Kasab differed with that, saying the taunts had actually come some months ago, when he was in police custody.

Mr. Kazmi has not been allowed to meet privately with his client since being appointed as his counsel. He typically has just 10 minutes each day to talk with Mr. Kasab in the presence of guards and court officials.

Mr. Kasab is the only survivor among a gang of 10 Pakistan-based attackers that went on a killing spree in Mumbai, starting Nov. 26. The onslaught left more than 160 people dead, including 58 at a busy commuter railway station.

The order for the continuation of the trial pleased the prosecution, which had argued that Mr. Kasab's admission was incomplete but should be admitted into the court record. Mr. Kasab has admitted to killing people at the busy [Chhatrapati Shivaji Terminus](#) during the attack, but he said he did not kill anybody after he and a partner, Abu Ismail, left the station.

Judge Tahilyani had to weigh the credibility of Mr. Kasab's confession, particularly in relation to the killing of a police officer, Tukaram Omble. The judge said on Thursday that given that Mr. Kasab's statement did not cover all of the 86 charges against him, the case would continue and his confession would be considered later.

"The statement made by the accused No. 1 cannot be effaced from the record. It has to be in the record," Judge Tahilyani said referring to Mr. Kasab. "I would not express any opinion on the evidentiary value of the statement."

It took the judge nearly an hour to read his opinion, which included references to court rulings as far back as 1934. Mr. Kasab, wearing a gray t-shirt and blue pants, sat stoically as the judge spoke. He looked at the floor, the judge and at reporters in the courtroom, and, at times, held his chin in his hand.

The court is also trying two Indian nationals on charges of aiding the attackers.

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