

Francis vs Silva,

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SooperKanoon Citation : sooperkanoon.com/1344714

Court : Kerala

Decided On : Jan-12-2023

Judge : Honourable Mr. Justice Alexander Thomas

Appeal No. : Con.Case(C)/557/2020

Appellant : Francis

Respondent : SILVA,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS
THURSDAY, THE 12TH DAY OF JANUARY 2023 / 22ND POUSHA,
1944 CON.CASE(C) NO. 557 OF 2020 AGAINST THE JUDGMENT &
ORDER IN WP(C) 13781/2018 OF HIGH COURT OF KERALA
PETITIONERS/PETITIONERS IN W.P(C): 1 FRANCIS AGED 31 YEARS
S/O.ERANIMOSE, AARKKUVEEDU, NEAR KOCHUPALLI, 2 DALINI,
AGED 21 YEARS W/O.FRANCISRANIMOS, AARKKUVEEDU, NEAR
KOCHUPALLI, BY ADV K.V.ANIL KUMAR
RESPONDENTS/RESPONDENTS 1, 2 & 8 IN W.P(C):

1 SILVA, AGE NOT KNOWN TO THE PETITIONER S/O.GILBERT, AARKKUVEEDU, NEAR KOCHUPALLI, ANCHUTHENGU P.O., ANCHUTHENGU VILLAGE, CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM, PIN-695 309. 2 BABY, AGED 68 YEARS W/O.SILVA, AARKKUVEEDU, NEAR KOCHUPALLI, CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM, PIN-695 309. 3 SRI.PATEL PRANJAL LAHENSINGH, AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER PRESENTLY WORKING AS REVENUE DIVISIONAL OFFICER/SUB COLLECTOR, THIRUVANANTHAPURAM DISTRICT, PIN-695 043. SRI.SAIGI JACOB PALATTY, SR. GOVERNMENT PLEADER THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 12.01.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ALEXANDER THOMAS, J.

[arising out of the impugned judgment dated 13.09.2018 & order dated 30.05.2019 in W.P(C) No.13781/2018] Dated this the 12th day of January, 2023

JUDGMENT

Sri.Saigi Jacob Palatty, the learned Senior Government Pleader submits that SLP(Civil) filed by the respondent (State authorities) to impugn the judgment of a Division Bench in the Writ Appeal, which arose out of Annexure-A1 judgment in W.P(C)No.13781/2018 is now pending before the Apex Court and the case is now posted on 06.02.2023.

2. In view of the above submission, this contempt case need not

be kept pending any longer. However, liberty is accorded to the petitioner to file an application to re-open this contempt proceedings, in case the verdict of the Apex Court in the SLP is in favour of the petitioner. With these observations and directions and with the said liberty, the above contempt case will stand disposed of. Sd/- ALEXANDER THOMAS JUDGE vgd APPENDIX OF CON.CASE(C)

557/2020 PETITIONERS' ANNEXURES ANNEXURE A1 CERTIFIED COPY OF JUDGMENT DATED 13.09.2018 ANNEXURE A2 A TRUE COPY OF THE ORDER DATED 30.05.2019 ANNEXURE A3 A TRUE COPY OF THE LETTER DATED 08.07.2019 ANNEXURE A4 A TRUE COPY OF THE LETTER DATED 09.10.2019 ANNEXURE A5 A TRUE COPY OF THE ORDER DATED 06.11.2019 OF THE 3RD RESPONDENT. ANNEXURE A6 A TRUE COPY OF THE REQUEST DATED 18.11.2019 BEFORE THE DISTRICT SOCIAL WELFARE OFFICER, THIRUVANANTHAPURAM. ANNEXURE A7 A TRUE COPY OF THE RECEIPT OF THE COMPLAINT DATED 04.12.2019 BEFORE THE STATION HOUSE OFFICE, ANCHUTHENGU POLICE STATION.

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