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Subaida vs State of Kerala

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Court : Kerala

Decided On : Oct-28-2022

Judge : Honourable Mr.Justice V.G.Arun

Appeal No. : WP(C)/19312/2021

Appellant : Subaida

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN FRIDAY, THE 28TH DAY OF OCTOBER 2022 / 6TH KARTHIKA, 1944 WP(C) NO. 19312 OF 2021 PETITIONER: SUBAIDA AGED 48 YEARS W/O.SULAIMAN, 9/359, PARAKKODE, KALLEKKAD, PALAKKAD. BY ADVS. B.PREMNATH P.SREENATH SANKAR SARATH M.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE PRINCIPAL SECRETARY(FOREST & WILDLIFE), SECRETARIAT, THIRUVANANTHAPURAM-695001. 2 CUSTODIAN OF VESTED FOREST, ARANYA BHAVAN, FOREST COMPLEX, OLAVAKKODE.P.O, PALAKKAD-678002. BY ADV. T.P.SAJAN, SPECIAL GOVERNMENT PLEADER (FORESTS) THIS WRIT

PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28.10.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 28th day of October, 2022 Learned Government Pleader submitted that, as against the order of the Forest Tribunal, which is sought to be implemented through this writ petition, the Government has preferred M.F.A. No.120/2021 and has obtained an interim order of stay.

2. Learned counsel for the petitioner submitted that the stay has expired and has not been revived till date.

3. In any event, the Government having filed an

M.F.A. and this Court having granted an interim order, the petitioner's remedy is to move this Court at the appropriate later stage. The writ petition is accordingly closed, reserving the petitioner's right to approach this Court again, if and when warranted. Sd/- V.G.ARUN JUDGE NB/28-10 APPENDIX OF WP(C) 19312/2021 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE ORDER DATED 23.2.2021 IN O.A.NO.28/2019 OF THE FOREST TRIBUNAL KOZHIKODE. EXHIBIT P2 TRUE COPY OF THE LAWYER NOTICE DATED 24.6.2021 SENT BY PETITIONER THROUGH HER ADVOCATE TO THE RESPONDENTS. EXHIBIT P3 TRUE COPY OF THE REPLY LETTER SENT BY CHIEF

FOREST CONSERVATOR & CUSTODIAN OF VESTED FOREST, EASTERN CIRCLE, OLAVAKKODE, PALAKKAD DATED 11.8.2021. RESPONDENTS EXHIBITS: NIL TRUE COPY P.A. TO JUDGE

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