

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 8570-8571/2011

STATE OF KERALA & ORS.

Appellant(s)

VERSUS

KUMARI VARMA
(With office report)

Respondent(s)

WITH
SLP(C) No. 6919-6920/2015
(With Interim Relief and Office Report)

C.A. No. 3130/2015

C.A. No. 3129/2015

SLP(C) No. 6537/2015
(With Interim Relief and Office Report)SLP(C) No. 13580-13581/2015
(With Interim Relief and Office Report)SLP(C) No. 26438/2015
(With Office Report)SLP(C) No. 20241/2015
(With appln.(s) for directions and Interim Relief and Office Report)SLP(C) No. 32493-32494/2015
(With Office Report)SLP(C) No. 4015-4016/2014
(With appln.(s) for permission to file additional documents and appln.(s) for c/delay in filing SLP and Office Report)

Date : 10/02/2016 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SHIVA KIRTI SINGH
HON'BLE MR. JUSTICE R.K. AGRAWALFor Appellant(s) Mr. K.K. Venugopal, Sr. Adv.
20241/2015 Mr. A. Raghunath, Adv.
Mr. P. Raghunathan, Adv.
Mr. Biju Sukumar, Adv.

6919-20/2015 Mr. Shyam Divan, Sr. Adv.

	Mr. E. M. S. Anam, Adv.
3130/2015	Mr. C.U. Singh, Sr. Adv. Mr. Sanjay Upadhyay, Adv. Mr. Salik Shafique, Adv. Ms. Divya Sharma, Adv. Mr. Rishi K.S. Gautam, Adv. Mr. Dhaval Mehrotra, Adv. Mrs Lalita Kaushik, Adv.
3129/2015 & 32493-32494/2015 & 26438/2015	Mr. Suhail Dutt, Sr. Adv. Mr. M.K. S. Menon, Adv. Mr. Shankar Menon, Adv. Ms. Usha Nandini. V, Adv.
4015-4016/2014	Mr. Jaideep Gupta, Sr. Adv. Mr. G. Prakash, Adv. Mr. Jishnu M.L., Adv. Ms. Priyanka Prakash, Adv.
13580-13581/2015	Mr. C.U. Singh, Sr. Adv. Mr. P. V. Dinesh, Adv. Ms. Sindhu T.P, Adv. Mr. Bineesh K., Adv. Mr. Rajendra Beniwal, Adv.
8570-8571/2011	Mr. K.V. Viswanathan, Sr. Adv. Mr. Ramesh Babu M. R., Adv. Ms. Liz Mathew, Adv. Mr. Madhvan Kutty, Adv. Mr. Mehul M. Gupta, Adv. Mr. Abhishek Kumar, Adv.
For Respondent(s)	Mr. Jogy Scaria, Adv.
8570-8571/2011	Mr. M.K. S. Menon, Adv. Mr. Arif, Adv. Mr. Shashank Menon, Adv. Ms. Usha Nandini. V, Adv.
	Mr. V. Shyamohan, Adv.

UPON hearing the counsel the Court made the following

O R D E R

I.A. No.2 of 2015 in SLP (C) No. 20241 of 2015

Mr. K.K. Venugopal, learned senior counsel appearing for the petitioner has pressed this I.A. on the ground that there is

urgency to maintain cardamom plants in the concerned area so that they are not wasted or destroyed during the pendency of these matters. There is a counter affidavit filed on behalf of the State which deals with the factual state of affairs in various paragraphs including paragraph 29. We would like to have a more specific answer whether the plea, that cardamom plants are occupying larger area than what is indicated in the counter affidavit, is correct or not. If required, a joint inspection may be carried out for this purpose. In any event, we would like the State to suggest ways and means of preserving and nurturing these plants, if any, during the pendency of this application.

List this I.A. for further orders along with the other matters on 9th March, 2016.

SLP (C) Nos. 6919-20 of 2015

From the submissions advanced by Mr. Shyam Divan, learned senior counsel for the petitioner, it appears that interim prayer of similar nature is being sought in these matters also but there is no separate application making a specific prayer to that effect.

In that view of the matter, we permit the petitioner(s) in this matter as well as in all other matters to file an I.A. within a week, if interim reliefs are required.

Learned counsel for the State shall seek instructions within two weeks thereafter.

List all the matters on 9th March, 2016.

I.A. Nos. 4-5 of 2016 in SLP (C) Nos. 4015-16 of 2014

Mr Jaideep Gupta, learned senior counsel has drawn our attention to a letter dated 25.11.2015 from the Custodian (Ecologically Fragile Lands) & Principal Chief Conservator of Forests (WP&R). He has expressed difficulty in complying with a request for some information under the Right to Information Act, 2005 (for short 'the RTI Act') on the ground of pendency of this SLP.

In our view, the I.As. can be disposed of with a simple clarification that pendency of the SLP will not stand in the way of authorities in complying with the provisions of the RTI Act.

I.A. Nos. 4-5 stand disposed of accordingly.

(Meenakshi Kohli)
Court Master

(Jaswinder Kaur)
Court Master