



CNR: KAHC010388272025

NC: 2026:KHC:39663  
WP No. 18701 of 2025

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 29<sup>TH</sup> DAY OF JULY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ**

**WRIT PETITION NO. 18701 OF 2025 (GM-FOR)**

**BETWEEN:**

SHEELA CHOELHO  
W/O LATE V.G. CHOELHO  
AGED ABOUT 72 YEARS,  
R/AT BEACH ROAD,  
IDDYA, SURATHKAL  
MANGALORE - 575 001.

...PETITIONER

(BY SRI. GIRISH B. BALADARE, ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA  
REP. BY ITS SECRETARY,  
FOREST DEPARTMENT,  
M.S. BUILDING,  
AMBEDKAR VEEDHI,  
BENGALURU - 560 001.
2. CHIEF CONSERVATOR OF FOREST  
AND APPELLATE AUTHORITY,  
CHIKKAMAGALURU CIRCLE,  
CHIKKAMAGALURU - 577 101.
3. COMPETENT AUTHORITY AND ASSISTANT  
CONSERVATOR OF FOREST  
BALEHONNOUR SUB DIVISION,

Digitally signed  
by SHWETHA  
RAGHAVENDRA  
Location: HIGH  
COURT OF  
KARNATAKA



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BALEHONNOUR NR PURA TALUK  
CHIKKAMAGALURU - 577 101.

4. THE RANGE FOREST OFFICER  
KALASA RANGE, KALASA,  
CHIKKAMAGALURU - 577 101.

...RESPONDENTS

(BY SRI. PANINI A.H, AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE ANNEXURE-A THAT IS ORDER DATED 12-07-2024 PASSED BY THE COMPETENT AUTHORITY, ASSISTANT CONSERVATOR OF FOREST, BALEHONNOUR SUB-DIVISION, BALEHONNOURM, NR PURA, CHIKKAMAGALURU DIST IN SAASAM/BHR/64(A)/ORDER/VIVA-225/2024-025(01/2024-25) AND ANNEXURE-D THAT IS ORDER DATED 16-05-2025 PASSED BY THE CHIEF CONSERVATOR OF FOREST, CHIKKAMAGALURU CIRCLE, CHIKKAMAGALURU, IN APPEAL NO. 01/24-25 AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ



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**ORAL ORDER**

1. Learned Additional Government Advocate accepts notice for respondent Nos.1 to 4.
2. Petitioner is before this Court seeking for the following reliefs:
  - a. *Issue a writ of certiorari or any other appropriate writ or order or directions order quashing the Annexure-A that is order dated 12-07-2024 passed by The Competent Authority, Assistant Conservator of Forest, Balehonnour Sub-Division, Balehonnourm, NR Pura, Chikkamagaluru Dist, in 64(A)/ORDER/NO: 01/2024-025(01/2024-25) and Annexure-D that is order dated 16-05-2025 passed by the Chief Conservator of Forest, Chikkamagaluru Circle, Chikkamagaluru, in Appeal No 01/24-25 in the interest of justice and equity.*
  - b. *Grant such other relief/s as this Hon'ble Court may deem fits under these circumstances of the case, in the interests of justice and equity.*
3. The grievance of the petitioner is that initially an order came to be passed on 12.07.2024 against the husband of the petitioner, who had expired on 13.02.2015. As regards which, a death certificate at Annexure-B has been placed on record.
4. The submission of Sri Girish B. Baladare, learned counsel for the petitioner, is that the said order having been passed under Section 64A of the Karnataka Forest Act, 1963 (for short, "Act") against a dead person, the petitioner's wife had filed an



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appeal under Section 64A of the Act, which came to be dismissed on the ground of non-maintainability as also on the ground of delay. It is the said two orders, which are under challenge before this Court.

5. The initial order which had been passed against the husband of the petitioner was on 12.07.2024. Though he had expired on 13.02.2015, essentially the order was passed against a dead person. An appeal filed there from has been held to be not maintainable on account of the limitation. The order at Annexure-A having been passed against a dead person is *non-est* and not binding on the petitioner.
6. On enquiry with the learned Additional Government Advocate as to whether the e-Janma portal has been integrated with all the *quasi judicial* authorities, she submits that it has not been so done.
7. In that view of the matter, a general direction is also required to be issued in this case to the Principal Secretary, Forest Department, to integrate the Forest Department with the e-Janma portal with the assistance of the Principal Secretary, E-Governance Department, so as to ensure that orders are not passed against a dead person, verification could be made by accessing the e-Janma portal. Since the



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order has been passed against the dead person, this Court passes the following:

**ORDER**

- i) Writ petition is ***allowed***.
- ii) A certiorari is issued, the order dated Annexure-A dated 12.07.2024 is quashed so also the appeal dated 16.05.2025 at Annexure-D is quashed.
- iii) The matter is remitted to the Assistant Conservator of Forest, Balehonnour Sub-Division/respondent No.3 to consider the proceedings initiated earlier against the petitioner's husband under Section 64A of the Act, now by substituting the petitioner in the place of her husband, and pass necessary orders in accordance with law as expeditiously as possible.
- iv) Though the above matter is disposed, re-list on **24.08.2026** to report compliance with general direction.

**Sd/-  
(SURAJ GOVINDARAJ)  
JUDGE**