HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE TWENTY SIXTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT APPEAL NO: 214 OF 2025

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 04/12/2024 in W P No 28890 of 2024 on the file of the High Court.

Between:

1. Kosari Abhishek Patel, S/o. Kosari Ramesh Patel, Aged 24 years, Occ. Student, R/o. H. No. 4-1-215/185, Karthikeya Nagar, Nacharam village, Uppal Mandal, Mechal- Malkajigir District
2. Kosari Abhilash Patel, S/o Kosari Rarer Patel, Aged 21 years, Occ. Student, R/o. H. No. 4-1-215/185, Karthikeya Nagar, Nacharam village, Uppal Mandal, Mechal- Malkajigir District

...APPELLANTS/RESPONDENT NO.4 and 5 in WP No.28890 of 2024

AND

1. Md Zakir Hussian, S/o. Late Faquruddin, Aged 58 years, Occ. Business, R/o. H. No. 4-7-10/3B, Raghavendra Nagar, Nacharam, Ranga Reddy district

...RESPONDENT NO.1/WRIT PETITIONER

2. The State of Telangana, Rep by Principal .Secretary, Municipal Administrative Dept, Secretariat, Hyderabad.
3. The Greater Hyderabad Municipal Corporation, Rep by its Commissioner, Kapra Circle, Hyderabad.
4. The Town Planning Office, Greater Hyderabad Municipal Corporation Kapra Circle, Hyderabad

...RESPONDENTS/RESPONDENT NO.1 TO 3 IN WP NO.28890 OF 2024

IA NO: 3 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to pass

an order to suspend the operation of the order dated 04/12/2024, passed in W.P. Nos.28890 OF 2024 AND 8922 OF 2022, pending disposal of the Writ Appeal.

Counsel for the Appellants: M/S PRANAY SOHINI

Counsel for the Respondent No.1: ALLURI RAGHU RAMA AURAVA

Counsel for the Respondent No.2: SRI E. VENKATA REDDY,
GP FOR MUNICIPAL ADMINISTRATION URBAN DEVELOPMENT

Counsel for the Respondent Nos.3 and 4: SRI SRINIVASA RAO PACHWA, SC

The Court Delivered the following: JUDGMENT

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT APPEAL No.214 of 2025

JUDGMENT *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*:

Sri Pranay Sohini, learned counsel for the appellants; Sri Alluri Raghu Rama Aurava, learned counsel for respondent No.1; Sri E. Venkata Reddy, learned Government Pleader for Municipal Administration and Urban Development Department, for respondent No.2 and Sri Srinivasa Rao Pachwa, learned Standing Counsel for respondent Nos.3 and 4.

2. With the consent, finally heard.

3. During the course of hearing, learned counsel for the parties reached to a consensus. It is agreed that the following portion of paragraph No.8 of the impugned order dated 04.12.2024 passed by the learned Single Judge in W.P.Nos.28890 of 2024 and 8922 of 2022 may be set aside:

> "However, it is made clear that both the petitioner and respondent Nos.4 and 5 shall wait for the outcome of the aforesaid suits and then can approach the GHMC authorities seeking building permit order for construction, and it is for the GHMC to consider the same. Till then, respondent Nos.4 and 5 are directed not to proceed with construction pursuant to the building permit order dated 27.10.2023 and the work commencement letter dated

08.02.2024, failing which liberty is granted to respondent Nos.2 and 3 in W.P. No.28890 of 2024 and the Deputy Commissioner of GHMC concerned to take action against respondent Nos.4 and 5 in accordance with law."

It is further agreed that remaining portion of paragraph No.8 of the impugned order may be upheld.

4. In view of consensus arrived at, the extracted portion of paragraph No.8 of the impugned order passed by the learned Single judge is **set aside** and the remaining portion of said paragraph is upheld.

5. With aforesaid and without expressing any opinion on merits of the case, this Writ Appeal is **disposed of**. No costs.

Interlocutory applications, if any pending, shall also stand closed.

SD/-I.NAGALAKSHMI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,
1. The Principal, Secretary, Municipal Administrative Dept, Secretariat, The State of Telangana, Hyderabad.
2. The Commissioner, The Greater Hyderabad Municipal Corporation, Kapra Circle, Hyderabad.
3. The Town Planning Office, Greater Hyderabad Municipal Corporation Kapra Circle, Hyderabad
4. One CC to M/s Pranay Sohini, Advocate [OPUC]
5. One CC to Sri Alluri Raghu Rama Aurava, Advocate [OPUC]
6. Two CC to The GP for Municipal Administration Urban Development , High Court for the State of Telangana, at Hyderabad[OUT]
7. One CC to Sri Srinivasa Rao Pachwa, SC[OPUC]
8. Two CD Copies

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HIGH COURT

DATED:26/03/2025

JUDGMENT

WA.No.214 of 2025



DISPOSINGNOF THE WRIT APPEAL

WITHOUT COSTS

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