HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY,THE EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

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

WRIT APPEAL NOS: 381 and 384 OF 2025

WRIT APPEAL NO: 381 OF 2025

Writ Appeal under clause 15 of the Letters Patent Writ preferred against the order dated 04/03/2025 passed in W P No 6503 OF 2025 and pase on the file of the High Court.

Between:

Shafiullaha Khan, S/o Late Gulam Rasool Khan Aged about 49 years, Occ Business R/o H. No.16-04-707, New Road, Chanchalguda, Hyderabad

...APPELLANT

AND

1. Yousuf Nawaz Khan, S/o Mohd. Rasool Khan alias Gulam Rasool Khan Aged about 62 years, Occ Business R/o H. No.16-4-707/A/1, Chanchalguda, Hyderabad
2. The State of Telangana, Rep. by its Principal Secretary MA and UD, Secretariat
3. The Deputy Commissioner, GHMC, Circle 6, Malakpet, Charminar Zone
4. The GHMC, Rep. by its Commissioner CC Complex, Lower Tank Bund, Hyderabad

...RESPONDENTS

Counsel for the Appellant: SRI. MOHAMMED SANAULLAH FARHAN

Counsel for the Respondent No.1: SRI APURVA M GOKHALE

Counsel for the Respondent No.2: SRI E. VENKATA REDDY

Counsel for the Respondent Nos.3&4: SRI BALU DUDEKULA FOR SRI RAPARTI VENKATESH SC FOR GHMC

WRIT APPEAL NO: 384 OF 2025

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order Dated 21/02/2025 Passed in WP.No. 5339 of 2025. on the file of the High Court.

Between:

Shafiullaha Khan, S/o Late Gulam Rasool Khan Aged about 49 years, Occ. Business R/o. H. No.16-04-707, New Road, Chanchalguda, Hyderabad

...APPELLANT

AND

1. Yousuf Nawaz Khan, S/o Mohd. Rasool Khan @ Gulam Rasool Khan Aged about 62 years, Occ. Business R/o. H. No.16-4-707/A/1, Chanchalguda, Hyderabad
2. The State of Telangana, Rep. by its Principal Secretary MA and UD, Secretariat
3. The Deputy Commissioner, GHMC, Circle 6, Malakpet, Charminar Zone
4. The GHMC, Rep. by its Commissioner CC Complex, Lower Tank Bund, Hyderabad

...RESPONDENTS

Counsel for the Appellant: SRI. MOHAMMED SANAULLAH FARHAN

Counsel for the Respondent No.1: SRI APURVA M GOKHALE

Counsel for the Respondent No.2: SRI E. VENKATA REDDY

Counsel for the Respondent Nos.3&4: SRI BALU DUDEKULA FOR SRI RAPARTI VENKATESH SC FOR GHMC

The Court made the following: COMMON JUDGMENT

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

WRIT APPEAL Nos.381 and 384 of 2025

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

Sri M.S. Farhan, learned counsel for the appellant; Sri Apurva M. Gokhale, learned counsel for respondent No.1; Sri E. Venkata Reddy, learned Government Pleader for Municipal Administration and Urban Development, for respondent No.2 and Sri Balu Dudekula, learned counsel represents Sri Raparti Venkatesh, learned Standing Counsel for GHMC, for respondent Nos.3 and 4.

2. These intra-court appeals take exception to interlocutory orders dated 04.03.2025 and 21.02.2025 respectively passed by a learned Single Judge in W.P.Nos.6503 and 5339 of 2025 respectively.

3. The present appellant is a party to the writ petitions but without hearing him, learned Single Judge has passed the impugned interim orders. The appellant, in this backdrop, should file applications for vacating stay and put forth his defense before the learned Single Judge.

4. The Supreme Court in **Shah Babulal Khimji v. Jayaben D.Kania**[1], **Midnapore Peoples' Coop. Bank Ltd. v. Chunilal Nanda**[2]

[1] 1981 AIR 1786

and **Shyam Sel And Power Limited v. Shyam Steel Industries Limited**[3], opined that the intra-court appeal is not maintainable against an interlocutory order unless that interlocutory order has an element of finality. The said judgments were recently followed by this Court in W.A.No.82 of 2025 and batch.

5. In the instant case, there is no such order which has element or character of finality. If the appellant prefers applications for vacating stay and his defense, learned Single Judge can very well examine the present appellant's grievance. Thus, these intra-court appeals are not maintainable and are accordingly **disposed of** by reserving liberty to the appellant to file appropriate applications before the writ Court. It is made clear that this Court has not expressed any opinion on merits of the cases. No costs.

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

SD/-I.NAGALAKSHMI
JOINT REGISTRAR

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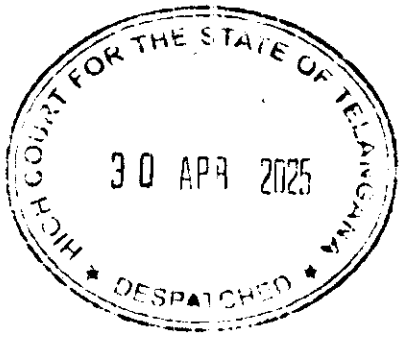
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[2] (2006) 5 SCC 399
[3] 2022 LiveLaw (SC) 282

HIGH COURT

DATED:08/04/2025



COMMON JUDGMENT

WA.Nos.381&384 of 2025

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