HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

I.A.No.1 of 2025
IN/AND
WRIT APPEAL NO: 797 OF 2025

Writ Appeal under clause 15 of the Letters Patent Preferred against Order Dated 21/03/2024 in WP.No.7100 of 2021 on the file of the High Court.

Between:

The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.

...APPELLANT/2nd RESPONDENT IN WRIT PETITION

AND

1. M.A. Wahab, S/o. Maqbul Ahmed, Age. 55 years, Occ. Surveyor, Town Planning Section, Head Office, GHMC, Hyderabad.
2. E. Yadaiah, S/o. E. Yettaiah, Age. 58 years, Occ. Surveyor, Town Planning Section, Head Office, GHMC, Hyderabad.

...RESPONDENTS/WRIT PETITIONERS

3. The State of Telangana, Represented by its Principal Secretary, MA and UD Department, Secretariat Buildings, Hyderabad.
4. The Administrator, Quli Qutub Shah Urban Development Authority, Purani Haveli, Hyderabad.
5. The State of Telangana, Represented by its Principal Secretary, Finance and Planning Department, Secretariat Buildings, Hyderabad.

...RESPONDENTS/RESPONDENTS

IA NO: 1 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 condone the delay of 514 days in presenting the writ appeal vide WA.No. of 2025.

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 suspend the order dated 21/03/2024 in W.P. No. 7100 of 2024 passed by the learned Judge of this Hon'ble Court pending disposal of the main writ Appeal.

Counsel for the Appellant: SRI G.NARAYANA, SC FOR GHMC

Counsel for the Respondent No.1 & 2: SRI S.AJAY KUMAR, REP. FOR SRI A.K.JAYAPRAKASH RAO

Counsel for the Respondent No.5: SRI S.SUMAN, GP FOR SERVICES-III

The Court delivered the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

I.A. No.1 of 2025
in/and
WRIT APPEAL No. 797 of 2025

JUDGMENT:

Sri G. Narayana, learned counsel appears for appellant.

Sri S. Ajay Kumar, learned counsel appears for Sri A.K. Jaya Prakash Rao, learned counsel for respondent Nos.1 and 2/writ petitioners.

Sri S. Suman, learned Government Pleader for Services-III appears for respondent No.5.

2. The present Writ Appeal is directed against the impugned order dated 21.03.2024 passed in Writ Petition No.7100 of 2021 whereby the learned writ Court has disposed of the Writ Petition in terms of the order dated 11.03.2024 in Writ Petition No.15533 of 2022 i.e., with a direction to the respondent authorities to consider the case of the petitioner therein for rendering the services in the organization from 2000 onwards and regularize his services against regular vacancy.

3. The instant Writ Appeal suffers from a delay of 514 days for condonation of which Interlocutory Application No.1 of 2025 with an improved affidavit to explain the delay has been filed. The stand of the appellant in the said Interlocutory Application and the affidavit filed to further explain the delay is contained in para Nos.2 to 9 which are extracted hereunder. An objection thereto has been filed by the writ petitioners stating that the only ground which is being taken by the appellant is the frequent transfer of Secretaries and the Administrators.

> "2. The delay is neither intentional nor deliberate, but has occurred due to administrative and procedural circumstances beyond the control of this Authority.
>
> 3. Initially, time was consumed in obtaining the certified copy of the impugned order and in overcoming communication gaps between departments during transition periods.
>
> 4. Frequent transfers of Secretaries of QQSUDA disrupted continuity in file processing and decision-making. The following officers held charge during the relevant period:
>
> *Smt. E. Archana (09.08.2023-30.09.2024)
> *Smt. G. Nalini Padmavathi (FAC, 30.09.2024-16.12.2024)
> *Sri S. Yella Reddy (16.12.2024-31.05.2025)
> *Smt. V. Rama Devi (31.05.2025 onwards)
>
> 5. Similarly, Administrators also changed frequently, further contributing to procedural delays:
>
> *Sri D. Ronald Rose, IAS (FAC, 05.07.2023-26.06.2024)
> *Smt. Amrapali Kata, IAS (FAC, 26.06.2024- 20.08.2024)

*Sri K. Ilambarithi, IAS (FAC, 11.11.2024-27.04.2025)

*Sri R.V. Karnan, IAS (FAC, 27.04.2025 onwards)

6. Each change required fresh handing over and taking over of charge, thereby causing shifting reasons for delay at different stage

7. The appointment of a new Standing Counsel, Sri G. Narayana, necessitated further time for review of voluminous case records and preparation of the appeal.

8. The Department also issued instructions to proceed cautiously and adhere to procedural formalities before filing the appeal, which prolonged the process.

9. Thus, the delay was not due to a single cause but arose from subsequent changes in administrative control and officer postings, each creating new procedural bottlenecks."

4. On consideration of the grounds urged and after hearing the learned counsel for the parties, we are not satisfied that any sufficient cause is shown for condoning the delay of 514 days in preferring the instant Writ Appeal. The transfer of Secretaries and Administrators which had taken place at certain intervals does not amount to sufficient cause for such a huge delay in preferring the instant Writ Appeal. Bureaucratic red tape and procedural delays in preferring the appeal by the State or its instrumentalities had often been frowned upon by the Apex Court in a series of judgments, such as, **Shivamma (Dead) by LRs v. Karnataka Housing Board and others**[1]. The

[1] 2025 SCC OnLine SC 1969

machinery of the organization does not come to a standstill on transfers of the Heads of the Departments or any Subordinate Officer. Therefore, we are not inclined to condone the delay.

5. Accordingly, the instant Interlocutory Application is dismissed. Consequently, the instant Writ Appeal is also dismissed. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

SD/-A.V.S. PRASAD
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI G.NARAYANA, SC FOR GHMC [OPUC]
2. One CC to SRI A.K.JAYAPRAKASH RAO, Advocate [OPUC]
3. Two CCs to GP FOR SERVICES-III, High Court for the State of Telangana at Hyderabad [OUT]
4. Two CD Copies

BSR
LS

HIGH COURT

DATED: 19/11/2025



JUDGMENT
I.A.No.1 of 2025
IN/AND
WA.No.797 of 2025

DISMISSING THE I.A. & W.A,

WITHOUT COSTS

(7)

kpp

25/11/25