IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE TWENTIETH DAY OF AUGUST TWO THOUSAND AND TWENTY SIX

PRESENT

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

I.A.NO.1 OF 2026
IN/AND

WRIT APPEAL NO: 871 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order Dated 17/07/2018 Passed in W.P.No.11857 of 2006. on the file of the High Court.

Between:

Mohammed Sadique, S/o. Late Mohammed Fazle Aged about 53 years, R/o. H.No. 13-5-146/9 Faiz chaman, Yousafnagar, Karwan, Hyderabad-500006.

.....APPELLANT/WRIT PETITIONER

AND

1. The Joint Collector - II, Ranga Reddy District, Hyderabad.
2. Katta Mohan Reddy, S/o. Late Katta Narayana Reddy, R/o. H.No. 1408, Pragathi Nagar Colony, Bachupally Village, Qutubullapur Mandal, Ranga Reddy District.

.....RESPONDENTS

I.A.NO:1 OF 2026

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 2890 Days in filing the accompanying writ appeal against the order dated 17.07.2018 passed in W.P.No.11857 of 2006.

Counsel for Appellant : Sri. H Sudhakara Rao

Counsel for Respondent No.1 : SRI MURALIDHAR REDDY KATRAM, GP FOR REVENUE

Counsel for the Respondent No.2 : SRI P.U.BHASKARA RAO

The Court made the following ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

I.A.No.1 of 2026

in/and

WRIT APPEAL No.871 of 2026

Dated:20.08.2026

Between:

Mohammed Sadique

...Appellant

and

The Joint Collector-II,
Ranga Reddy District, Hyderabad,
and another.

...Respondents

JUDGMENT:

Learned counsel Ms. Ch.Suswani, representing learned counsel Sri H.Sudhakar Rao, appears for the appellant.

Sri Muralidhar Reddy Katram, learned Government Pleader for Revenue, appears for respondent No.1.

Learned counsel Sri P.U.Bhaskara Rao appears for respondent No.2.

2. The present writ appeal is preferred against the order dated 17.07.2018 passed in W.P.No.11857 of 2006 by which the learned writ court dismissed the said writ petition filed by the appellant herein.

3. The appeal suffers from a delay of 2890 days for condonation of which I.A.No.1 of 2026 has been filed.

4. Learned counsel for the appellant submits that the delay was caused due to lack of proper legal guidance, recurring medical difficulties, the extraordinary disruption caused by the COVID-19 pandemic and the continued pursuit and collection of records relating to the underlying property dispute and the delay was neither deliberate nor intentional.

5. Learned counsel for the respondents have opposed the prayer for condonation of delay.

6. We have heard learned counsel for the parties and perused the affidavit annexed to the delay condonation application. Paragraphs 4 to 11 thereof are extracted hereunder:

> "4. I submit that the subject matter of the litigation concerns ancestral agricultural property and rights arising therefrom, involving revenue entries and records extending over several decades. The dispute has also involved questions concerning my lineage and legal heirship in relation to Late Abdullah Sahab, the original ancestor. I and my family members were, during the relevant period, pursuing the necessary proceedings and making efforts before the concerned

revenue and civil authorities to establish and protect our rights, including collection and verification of old revenue records, pahanies, Sethwar entries, mutation particulars and other connected documents.

5. I submit that the matter was further complicated by attempts of third parties to assert rights over the subject property on the basis of alleged transactions/purchases from cultivators. Consequently, considerable time and effort were required in tracing, obtaining and verifying old revenue records and certified copies and in pursuing the connected proceedings. The fact that I was pursuing the underlying dispute through other available legal and revenue processes demonstrates that I had never abandoned my claim over the subject property.

6. My health condition during the intervening period also materially contributed to my inability to effectively attend to the legal proceedings and obtain appropriate legal advice. The medical records now produced along with the present application demonstrate that I was required to undergo medical consultation and treatment on several occasions.

7. In particular, the medical record dated 13.02.2019 issued by New Life Poly Clinic, Zaheerabad, records complaints of shortness of breath and severe chest pain, with the attending doctor having noted symptoms requiring assessment for a possible cardiac event. The said medical record is being filed along with the present application.

8. I further submit that the medical record dated 10.01.2020 records complaints of severe body pain accompanied by fever, chills, headache and giddiness, for which I was examined and prescribed treatment. The said record is also annexed hereto. An earlier medical record dated 17.01.2018 further reflects that I had been undergoing medical consultation for significant health complaints even prior to the passing of the impugned order. The medical records, taken together, demonstrate that the health difficulties referred to herein are genuine and contemporaneous and are not circumstances subsequently created merely to explain the delay.

9. I further submit that the period intervening from 15.03.2020 to 02.10.2021 is liable to be excluded while computing the period of limitation in view of the orders passed by the Hon'ble Supreme Court in *In Re: Cognizance for Extension of Limitation*, including the order dated 23.09.2021 in M.A. No.665 of 2021 in Suo Motu Writ Petition (Civil) No.3 of 2020, whereby the Hon'ble Supreme Court specifically directed that, in computing the period of limitation for any suit, appeal, application or proceeding, the period from 15.03.2020 till 02.10.2021 shall stand excluded, with the balance period of limitation becoming available from 03.10.2021. The said exclusion is applicable while computing the limitation applicable to the present Writ Appeal.

10. I submit that the period subsequent to the pandemic was also consumed in continuing efforts to protect my rights in the subject property, to trace and verify the old revenue material and to pursue the connected proceedings. At no point was there any conscious decision on my part to give up the challenge to the order dated 17.07.2018. It was only upon obtaining proper and comprehensive legal advice recently that I came to understand the availability of the remedy of Writ Appeal and the requirement of approaching this Hon'ble Court with an application explaining and seeking condonation of the delay. Immediately

thereafter, I took steps to obtain the relevant papers, organise the connected records and instruct counsel for filing the present Writ Appeal.

11. I respectfully submit that the delay has thus occurred due to bona fide lack of proper legal guidance, recurring medical difficulties, the extraordinary disruption caused by the COVID-19 pandemic, and the continued pursuit and collection of records relating to the underlying property dispute, and not due to any deliberate or wilful inaction. The circumstances, when considered cumulatively and in their proper chronological context, constitute sufficient cause for condoning the delay."

7. The appellant sought condonation of delay mainly on the grounds of considerable time required in tracing and obtaining the relevant records, lack of legal guidance and the recurring health issues. However, the explanation given by the appellant is insufficient to explain the inordinate delay of 2890 days in preferring this appeal. Therefore, we do not find any substantial cause whatsoever to condone the delay.

8. Hence, I.A.No.1 of 2026 is dismissed.

9. Consequently, the writ appeal is also dismissed.

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

//TRUE COPY//

SECTION OFFICER

To

1. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
2. One CC to SRI H.SUDHAKARA RAO, Advocate [OPUC]
3. One CC to SRI P.U.BHASKARA RAO, Advocate (OPUC)
4. Two CD Copies

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TKS

HIGH COURT

DATED: 20/08/2026



ORDER

I.A.NO.1 OF 2026
IN/AND
WA.No.871 of 2026

DISMISSING BOTH I.A. AND W.A

WITHOUT COSTS.

(1)

kpa
2/9/26