

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE TWENTY NINTH DAY OF JULY,
TWO THOUSAND AND TWENTY FIVE

: PRESENT:

HONOURABLE THE CHIEF JUSTICE SRI DHIRAJ SINGH THAKUR
AND
THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI



WRIT APPEAL NO: 165 of 2025 ALONG WITH W.A.Nos.167 & 216 of 2025

WRIT APPEAL NO: 165 OF 2025

Appeal under Clause 15 of the Letters Patent, is filed against the Judgment passed in WP.No.21393 of 2012, dated 04.02.2025 on the file of the High Court.

Between:

M/s Bhiragacha Finance Company Private Limited, A company incorporated under the provisions of the Indian Companies Act, 1956 Having its Office at 15 Maranapratap Sarani, (Formerly Indian Exchange Place) Kolkatta, Presently Rep.by H M Mot, S/o Narasaram Mot, aged 78 years. Occupation President, O/o Ashok Marg, Sanath Nagar, Hyderabad - 500 018

Appellants/Petitioners

AND

1. The State of Andhra Pradesh, Department of Revenue (ULC), Rep. by its Principal Secretary, Secretariat Buildings, (Erstwhile Hyderabad) Presently at A.P. Secretariat Buildings, Amarvathi, Andhra Pradesh
2. The Special Officer and Competent Authority, Urban Land Ceilings ; (Erstwhile Chandra Vihar Buildings Nampally, Hyderabad) Presently at Visakhapatnam, Andhra Pradesh
3. The Special Officer Competent Authority, Urban Land Ceilings, Collectorate Compound, Visakhapatnam, Visakhapatnam District.
4. The Enquiry Officer, O/o Urban Land Ceilings, (Erstwhile Chandra Vihar Buildings, Nampally, Hyderabad) Presently at Visakhapatnam, Andhra Pradesh

5. The Tahsildar and Executive Magistrate, Visahakapatnam Urban,
Visahakapatnam.

Respondents/Respondents

IA No. 2 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings including dispossession of the petitioner from the subject land in survey No.59/3, Marripalem Village, Visakhapatnam, Pending disposal of WA No.165 of 2025, on the file of the High Court.

IA No. 3 OF 2025

Petition under Section 151 CPC is filed 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 in WP.No. 21393 of 2012 dt. 04-02-2025, Pending disposal of WA No.165 of 2025, on the file of the High Court.

The Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the High Court order dated 10.03.2025, 23.06.2025, 01.07.2025 & 14.07.2025 made herein and upon hearing the arguments of Sri A.Chandra Shekar, Advocate for the Appellants and of GP for Land Ceiling for the Respondents;

WRIT APPEAL NO: 167 OF 2025

Appeal under Clause 15 of the Letters Patent, is filed against the Judgment passed in WP.No.12390 of 2012 dated 04.02.2025 on the file of the High Court.

Between:

M/s ECE Industries Limited, A Company Incorporated, Under the Provisions Of Indian Companies Act, 1956, Having Its Office at 28 A, Kasturba Gand Marg, New Delhi-110 001, Rep,by Its Constituted Attorney and Authorized Signatory Mr. H.M.Mot, S/o Late N. Mot, Aged about 78 years, O/o ECE Industries Limited, Ashok Marg, Sanath Nagar, Hyderabad - 500 018.

Appellants/Petitioners

AND

1. The State of Andhra Pradesh, Department of Revenue (ULC), Rep. by its Principal Secretary, Secretariat Buildings, (Erstwhile Hyderabad) Presently at A.P. Secretariat Buildings, Amarwathi, Andhra Pradesh
2. . The Special Officer and Competent Authority, Urban Land Ceilings, (Erstwhile Chandra Vihar Buildings Nampally, Hyderabad) Presently at Visakapatnam, Andhra Pradesh.
3. . The Special Officer Competent Authority, Urban Land Ceilings, Collectorate Compound, Visakhapatnam, Visakhapatnam District.
4. The Enquiry Officer, O/o Urban Land Ceilings, (Erstwhile Chandra Vihar Buildings, Nampally, Hyderabad) Presently at Visakhapatnam, Andhra Pradesh
5. The Tahsildar and Executive Magistrate, Visahakapatnam Urban, Visahakapatnam.

Respondents/Respondents

IA No. 2 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High

Court may be pleased to stay all further proceedings including dispossession of the petitioner from the subject land in survey No.59/3, Marripalem Village, Visakhapatnam, Pending disposal of WA No. 167 of 2025, on the file of the High Court.

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 in WP.No. 12390 of 2012 dt. 04-02-2025 and pass Pending disposal of WA No. 167 of 2025, on the file of the High Court.

The Appeals coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the High court order dated 10.03.2025, 23.06.2025, 01.07.2025 & 14.07.2025 made herein and upon hearing the arguments of Sri A CHANDRA SHAKER Advocate for the Petitioner and of GP FOR LAND CEILING for the Respondents.

WRIT APPEAL NO: 216 OF 2025

Appeal under Clause 15 of the Letters Patent, is filed against the Judgment passed in WP.No. 8176 of 2008 , dated 04.02.2025 on the file of the High Court.

Between:

1. Pydi Varahamma, (died)
2. Pydi Venkataramana,, S/o Pydi Krishna Sarma, Aged about 59 years, R/o H. No. 39-16-36, Madhavadhara, Visakhapatnam.
3. Pydi Giridhar Babu,, S/o Pydi Krishna Sarma, Aged about 55 years, R/o H. No. 39-16-36, Madhavadhara, Visakhapatnam.

Appellants/Writ Petitioners

AND

1. The Government of Andhra Pradesh, Department of Revenue (ULC), Rep. by its Principal Secretary, Secretariat Buildings, Hyderabad (Now at Velagapudi, Amaravathi)
2. The Special Officer and Competent Authority,, Urban Land Ceilings, Chandra Vihar Buildings Nampally, Hyderabad (Now at Visakhapatnam, Andhra Pradesh)
3. The Special Officer and Competent Authority,, Urban Land Ceilings, Collectorate Compound, Visakhapatnam, Visakhapatnam District.
4. The Enquiry Officer,, O/o Urban Land Ceilings, Chandra Vihar Buildings, Nampally, Hyderabad, (Now at Visakhapatnam, Andhra Pradesh)
5. M/s A. P. Electrical Equipment Corporation Ltd., Industrial Estate, Marripalem, Visakhapatnam Rep. by its Chief Executive Officer,
6. Tahasildar/Mandal Revenue Officer,, Visakhapatnam Urban, Visakhapatnam.

Respondents/Respondents

7. Smt. Lalitha Kumari, W/o S T V Ramana Murthy, D / o Late Pydi Krishna Sharma, Aged about 53 years, R/o H. No. 39-8-65/2/1, Sector 8, Muralinagar, Visakhapatnam.
8. Smt. Kodipathina Sumalatha, W/o K Venkata Rao, D / o Late Pydi Krishna Sharma, R/o HNo. 39-1-23/1/2, Muralinagar, Visakhapatnam.

Respondents/Petitioners 4 & 5 in WP

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 direct Respondents 1 to 4, 6 not to dispossess the Petitioners herein from the land in Sy. No. 59/3 Marripalem Village, Visakhapatnam (Urban) Mandal, Visakhapatnam by-suspending the Order dt. 04-02-2025 of the Learned Single Judge in W.P. No. 8176 of 2008, Notification dt. 07-07-2007 (published dt. 12- 07-2007) published under Section 10(1) of the Urban Land Ceiling (Ceiling and Regulation) Act, 1976 (hereinafter referred to as

"Act"), Order dt. 05-02-2008 issued by the Respondent No. 2 - Special Officer, Pending disposal of WA No. 216 of 2025, on the file of the High Court.

The Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the High Court order dated 10.03.2025, 23.06.2025, 01.07.2025 & 14.07.2025 made herein and upon hearing the arguments of Sri A PRABHAKAR SARMA Advocate for the Appellants and of GP FOR REVENUE for the Respondents 1 to 4 and 6, Sri A CHANDRA SHEKAR, Advocate for Respondent 5, Sri V SANTHI SREE, Advocate for the Respondents 7 and 8, the Court made the following;

ORDER

Learned counsel for the respondent State states that the records have still not been received from Hyderabad which is material in the present case to determine the manner in which possession of land in question was taken.

Learned Advocate General also is not available on account of his personal reasons.

List on 12.08.2025.

Interim order granted earlier shall stand extended till the next date of hearing.

In case the record is not received, counsel for the appellants be informed in advance.

//TRUE COPY//

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI. A CHANDRA SHAKER Advocate [OPUC]
2. One CC to SRI. A PRABHAKAR SARMA Advocate [OPUC]
3. One CC to SRI. V SANTHI SREE Advocate [OPUC]
4. Two CCs to GP FOR LAND CEILING ,High Court Of Andhra Pradesh.
[OUT]
5. Two CCs to GP FOR REVENUE, High Court of A.P at Amaravathi.
[OUT]
6. Two CCs to Advocate General, High Court of Andhra Pradesh [OUT]
7. Two spare copies.

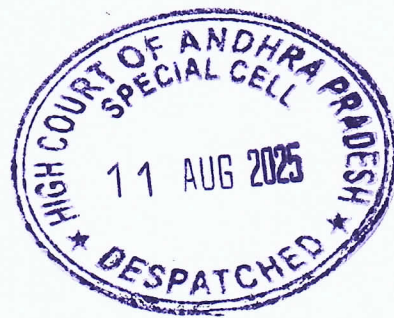
HIGH COURT

**HC, J
&
RC, J**

DATED: 29/07/2025

LIST ON 12.08.2025

ORDER



WRIT APPEAL Nos: 165, 167 & 216 of 2025

INTERIM ORDER EXTENDED