

HIGH COURT OF ANDHRA PRADESH:: AMARAVATI

MAIN CASE NO.: **W.P.No.10569 of 2025**

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
3.	05.05.2025	<u>VN, J</u> The present Writ Petition is filed questioning the Endorsement dated 01.04.2025 in BA No.1086/3302/B/Z3/KTA/2021 issued by the Respondent No.2, as illegal and arbitrary. Sri K.S. Murthy, learned Senior Counsel appearing for the Petitioners submits that a building plan was sanctioned on 07.08.2021 by the Respondent No.2 and subsequently the plan was revised <i>vide</i> Proceedings dated 30.04.2025. Subsequently, on 30.05.2024 and 13.08.2024 shortfall notices were issued. The learned Senior Counsel further submits that the shortfalls pointed out in both the notices have been complied with. As no orders were being passed in spite of compliance by the Petitioners, they had filed W.P.No.28934 of 2024 before this Court. The said Writ Petition was said to have been disposed of with a direction to the Respondent No.2 to consider the representations of the Petitioners and pass appropriate orders <i>vide</i> Order dated 02.01.2025. Pursuant thereto, the impugned order was passed, wherein the Respondent No.2 had referred aspects, which are not specified in the shortfall notices referred above.	

		In the impugned order it is also mentioned that post verification of the building plan in favour of the Petitioners would be taken up on merits only after the Petitioners submit explanation through online APDPMS portal duly complying with all the shortfalls noticed as well as other endorsements by the GVMC from time to time. The learned Senior Counsel appearing for the Petitioners submits that the impugned order is to the extent of stating that the post verification of the building plan is only after taking the shortfalls mentioned in the notices referred above as well as other notices issued by the GVMC from time to time and gives scope to the Respondent-Corporation to dodge and delay the reasons for doing post verification. Sri P. Patanjali, learned counsel appearing for the proposed Respondent No.3 pointed out that the property in question is the subject matter of W.A.No.977 of 2024 and A.S.No.132 of 2017 and batch, wherein interim orders were passed by this Court restraining both the parties to maintain <i>status quo</i> and in that context, shortfall in building permission, which is sought by the Petitioners, is not warranted. The learned Senior Counsel appearing for the Petitioners opposes the implead application and contends that Counter Affidavit would be filed thereto.	
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		Having heard the respective counsels, this Court is of the opinion that the Respondent authorities cannot be permitted to keep the shortfalls/open ended. The Respondent authorities are obligated to specify the shortfalls as on date, so that the Petitioners know where they stand and can comply with the same to proceed with construction subject to the orders to be passed in W.A.No.977 of 2014 and A.S.No.132 of 2017 and batch. Therefore, there shall be interim direction to the Respondent No.2-Corporation to specify the shortfalls as on date within a period of four (4) weeks from today. It is clarified that this order is not to be construed as permitting the Petitioners to proceed with construction activity. Post the matter on 27.06.2025. _____ VN, J IS	
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