

HIGH COURT OF ANDHRA PRADESH:: AMARAVATI

MAIN CASE NO.: WP.No.10311 of 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
1	22-07-2026	<u>CGR, J</u> The petitioner is the landlord of the subject property. He has given the same for development and construction of a residential apartment. The 2nd respondent, in the Writ Petition, stated to have entered into an agreement to purchase one of the flats and accordingly, the sale deed, dated 20.09.2018, came to be executed in respect of flat No.406, admeasuring 1160 square feet. The initial building permission granted on 02.01.2015, stated to have been revoked by a proceeding, dated 26.12.2021, by the Commissioner of Greater Visakhapatnam Municipal Corporation (GVMC). Assailing the same, petitioner referred W.P.No.7797 of 2022. Similarly, in respect of the revocation of other building permissions adjacent to the subject property, the petitioner had preferred W.P.Nos.11248 & 11837 of 2022. In the interregnum, the 2nd respondent approached the 1st respondent by filing an application under Section 31 of the Real Estate (Regulation and Development) Act, 2016 alleging failure on the part of the builder and owner in completion of the subject project. By an Interim Order, dated 07.04.2025, the 1st respondent has	

	refrained the respondents therein from advertising, marketing or promoting the sale of flats of the subject project and further directed refund of the amounts in favour of the 2nd respondent herein along with the interest @11% per annum. The said order came to be confirmed by final order, dated 18.12.2025, which is impugned, in the Writ Petition. However, subsequently the Writ Petitions referred to <i>supra</i>, came to be allowed by Common Order, dated 06.07.2026. This Court, while setting aside the impugned proceedings in those Writ Petitions, directed the Commissioner of Greater Visakhapatnam Municipal Corporation (GVMC) to consider renewal of the building permissions and further not to interfere with the possession and enjoyment of construction activity over the subject property. Sri P. Roy Reddy, learned counsel represented on behalf of Sri V. Surya Kiran Kumar, learned counsel appearing for the petitioner contends that the construction of the building and timelines for the delivery of the property could not be adhered to because of pendency of the aforesaid litigation, having the building permission revoked, the Writ Petitioner was not in a position to proceed with the construction activity which aspect was not properly appreciated and taken into consideration by the 1st respondent while passing the interim order. The factum that by Common Order, dated 06.07.2026, aforesaid revocation	
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		orders have since now been set aside and the Writ Petitioner has been permitted to seek renewal of the building permission and also to proceed with the construction work, the stand of the petitioner before the 1st respondent stands fortified. Matter requires deeper examination. Prima facie, this Court is of the opinion that the petitioner was entangled in litigation on account of cancellation of building permission, which derailed the timelines of completion of the project. In that view of the matter, the impugned order, dated 18.12.2025, passed by the 1st respondent, shall stand suspended, pending further orders. List on 16.09.2026. CGR, J BSM	
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