

HIGH COURT FOR THE STATE OF TELANGANA : HYDERABAD

MAIN CASE No: WP.No.1182 of 2021

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
04.	20.08.2025	<p><u>JAK,J</u></p> <p>No counter affidavit has been filed by respondents.</p> <p>Matter pertains to the year 2021.</p> <p>Rule 12 of Writ Proceedings Rules, 1977 reads as follows:</p> <p>“12 (i) (a) Every Respondent in every Writ Petition intending to enter appearance and oppose any Writ Petition on which notice is issued by the High Court, shall enter appearance and file a Counter Affidavit in opposition as soon as may be and in any event one hundred and twenty days from the date of service of notice in the Writ Petition or the Service of Rule nisi on the said Respondent.</p> <p>(b) Reply affidavits shall be filed unless otherwise ordered, within one month of receipt of copy of the Counter Affidavit.</p> <p>(ii) No Counter affidavit filed beyond one hundred and twenty days from the date of service of notice on the opposite party or parties in the Writ Petition shall be received or be used at the hearing of the Writ Petition unless the Court grants leave to file counter affidavit beyond the stipulated period, subject to such terms as the Court may deem fit.</p> <p>(iii) Affidavits in opposition and affidavits in reply thereto shall be filed in the Registry along with authenticated copies of documents on which the party relies duly stitched book-wise and indexed with continuous pagination, after service on the opposite party or parties.</p>	

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		<p>No such affidavit shall be entertained after the time extended in sub-rule (ii) without the leave of the Court.”</p> <p>Rule 12 of Writ Proceedings Rules, 1977 categorically states that if no counter affidavit is filed beyond one hundred and twenty days from the date of service of notice, the Court can grant leave beyond the stipulated period, subject to such terms as the Court may deem fit.</p> <p>In view of Rule 12 of Writ Proceedings Rules, 1977, this Court is inclined to levy costs of Rs.500/- each on respondent Nos.3 and 7 to be paid to petitioner.</p> <p>It is made clear that if no counter affidavit is forthcoming by the next date of hearing, respondents shall be present before the Court on the next date of hearing. Needless to state that amounts shall be paid to petitioner and counter affidavit be filed by next date of hearing.</p> <p>Post the matter on 01.09.2025.</p> <p style="text-align: right;"> <hr style="width: 10%; margin-left: auto; margin-right: 0;"/> JAK,J KH </p>	

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