



2025:TSHC:54512

[ 3256 ]

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
TUESDAY, THE TWENTY SIXTH DAY OF MARCH,  
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

IA No. 2 OF 2023  
IN  
WP NO: 3698 OF 2023

I.A.No.1 of 2023

Between:

1. M/s. Rolling Hills House Owners Association, Having its office at Club House, Adj to C18, Rolling Hills, Gachibowli, Ranga Reddy district, Rep. by its President Mr. D. Dinesh Kumar Reddy, s/o Late Sri D. Dasthagiri Reddy.
2. T Pavana Devi, W/o. Gopichand Tummala, R/o Villa No D8, Rolling Hills, Gachibowli, Ranga Reddy dist- 500032.

...Petitioners

(Petitioners in WP 3698 OF 2023  
on the file of High Court)

AND

1. Greater Hyderabad Municipal Corporation, Office of the Commissioner, Town Planning Section (HO), GHMC, Tank Bund, Hyderabad.
2. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, District Commercial Complex, Administrative L-Block, Tarnaka, Hyderabad,
3. M/s. Patel Engineering Limited., a registered company, Having its Registered Office at Patel Estate Road, Jogeshwari (West), Mumbai-400015 and branch at H.No.6-3-635, Akash Ganga, 4th Floor, Khairatabad, Hyderabad, rep. by its Authorized Signatory Sri B.S.Reddy.
4. M/s. P.B.S.R. Developers Private Limited., Having its Registered Office at 8-2-293/82/A/76, First Floor, Road No.9A, Jibilee Hills, Hyderabad-500033, Rep. by its Authorized Signatory Sri Vineet Aggarwal

...Respondents

(Respondents in-do-)

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 revised lay out permit No.2755/Layout/CDA/PLG/ HMDA/2002, dated 26.04.2013 and permit No.39591/HO/WZ/Cir.-11/2015, dated. 20.01.2015 in File No. B/429/TPS/TP-11/GHMC/2014, and Revised Permit No.53374/HO/WZ/Cir-11/2016, 03.11.2017 in File No.117404/21/02/2017/HO/29, and Order in Lr.No.117404/21/02/2017/HO/29, dated 09.01.2023 passed by 1st respondent and direct 1st respondent not to issue any occupation certificate on the basis of the said permission, in the interest of justice, Pending disposal of WP No. 3698 of 2023, on the file of the High Court.

**IA No. 2 OF 2023****Between:**

1. M/s. Patel Engineering Limited., a registered company, Having its Registered Office at Patel Estate Road, Jogeshwari (West), Mumbai-400015 and branch at H.No.6-3-635, Akash Ganga, 4th Floor, Khairatabad, Hyderabad, rep. by its Authorized Signatory Sri B.S.Reddy
2. M/s. P.B.S.R. Developers Private Limited., Having its Registered Office at 8-2-293/82/A/76, First Floor, Road No.9A, Jibilee Hills, Hyderabad-500033, Rep. by its Authorized Signatory Sri Vineet Aggarwal

...Petitioners/Respondent Nos.3 & 4  
(Petitioners/Respondent Nos.3 & 4 in WP 3698 OF 2023  
on the file of High Court)

**AND**

1. M/s. Rolling Hills House Owners Association, Having its office at Club House, Adj to C18, Rolling Hills, Gachibowli, Ranga Reddy district, Rep. by its President Mr. D. Dinesh Kumar Reddy, s/o Late Sri D. Dasthagiri Reddy.
2. T Pavana Devi, W/o. Gopichand Tummala, R/o Villa No D8, Rolling Hills, Gachibowli, Ranga reddy dist- 500032.

..Respondents/Petitioners

3. Greater Hyderabad Municipal Corporation, Office of the Commissioner, Town Planning Section (HO), GHMC, Tank Bund, Hyderabad.

..Respondent No.3/Respondent No.1

4. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, District Commercial Complex, Administrative L-Block, Tarnaka, Hyderabad.

...Respondents/Respondents  
(Respondent/Petitioner in-do-)

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 vacate the interim order passed in W.P.No.3698 of 2023 dated 16-02-2023 in the interest of justice.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court dated 16/02/2023 made in I.A.No.1 of 2023 in W.P.No. 3698 of 2023 and upon hearing the arguments of Sri M. Srinivas, Advocate for the Petitioners in I.A.No.1 of 2023 and Respondent Nos.1 & 2 in I.A.No.2 of 2023 and Sri M.A.K. Mukheed, Advocate for the Respondent No.1 in I.A.No.1 of 2023 and Respondent No.3 in I.A.No.2 of 2023 and Sri V. Narsimha Goud, Advocate for the Respondent No.2 in I.A.No.1 of 2023 and Respondent No.4 in I.A.No.2 of 2023 and Sri Duvva Pavan Kumar, Advocate for the Respondent Nos.3 and 4 in I.A.No.1 of 2023 and Petitioners in I.A.No.2 of 2023, the Court made the following

**ORDER:**

This application is filed by the petitioners/respondent Nos.3 and 4 seeking to vacate the interim order dated 16.02.2023 passed in W.P.No.3698 of 2023.



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Heard learned counsel appearing for the petitioners as well as the respondents.

This Court *vide* order dated 16.02.2023 in W.P.No.3698 of 2023, directed respondent No.1 not to release/issue Occupancy Right Certificate in favour of petitioner herein in pursuance of the application submitted by the writ petitioners in W.P.No.3698 of 2023 and in terms of the layout sanctioned *vide* letter No.2755/Final/Layout/CDA/2002 dated 23.08.2004.

This Court has granted interim order relying upon Condition No.12 of the Layout Rules, wherein it is stated that no power is conferred to revise the final layout communicated to the developer.

Pending final adjudication of this writ petition, the orders granted on 16.02.2023 in W.P.No.3698 of 2023 are modified directing respondent No.1 to consider the application submitted by the petitioners herein (respondent Nos.3 and 4 in W.P.No.3698 of 2023) for issuing Occupancy Rights Certificate to occupy the subject premises. However, the petitioners are directed not to alienate the property in any manner or create third party interest except the occupation of the said property by the petitioners and using the same for their purpose

SD/- V.KAVITHA  
ASSISTANT REGISTRAR

//TRUE COPY//

  
SECTION OFFICER

To,

1. One CC to SRI M. Srinivas, Advocate [OPUC]
2. One CC to Duvva Pavan Kumar, Advocate (OPUC)
3. One spare copy.



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**HIGH COURT**

**CVBR,J**

**DATED:26/03/2024**

**ORDER**

**I.A.NO.2 OF 2023  
IN  
WP NO: 3698 OF 2023**



**MADE ABSOLUTE**