

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTY FIRST DAY OF DECEMBER, TWO THOUSAND AND TWENTY

:PRESENT:
THE HONOURABLE SRI JUSTICE A. ABHISHEK REDDYI.A.No. 2 OF 2020
IN
WP NO: 8447 OF 2020I.A.NO.1 OF 2020

Between:

SRIGOPAL DARAK, S/o. SRINIVAS DARAK.

...Petitioner

(Petitioners in WP 8447 OF 2020
on the file of High Court)

AND

1. The State of Telangana, Rep. by Principal Secretary, Municipal Administration Department, Secretariat, Hyderabad, T.S.
2. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Near Tank Bund Road, Hyderabad, T.S.
3. The Deputy Municipal Commissioner, Greater Hyderabad Municipal Corporation, Circle No.9, Charminar (SZ) Baba Nagar, Chandrayan Gutta, Hyderabad, T.S.
4. The Zonal Commissioner, Greater Hyderabad Municipal Corporation Circle No.9, Charminar Zone, Baba Nagar, Chandrayan Gutta, Hyderabad, T.S.
5. The Assistant City Planner (Town Planning), Greater Hyderabad Municipal Corporation Circle No.9, (South Zone), Baba Nagar, Chandrayan Gutta, Hyderabad, T.S.
6. Madan Gopal Baheti, S/o. Late Srinivas Baheti, Occ. Business, R/o. H.No.20-2-656/A, Hussaini Alam, Hyderabad, T.S.
7. Shiv Kumar Baheti, S/o. Madan Gopal Baheti, Occ. Business, R/o. H.No.20-2-656/A, Hussaini Alam, Hyderabad.
8. Shailesh Baheti, S/o. Om Prakash Baheti, Occ. Company Secretary, R/o. H.No.20-2-656/a, Hussaini Alam, Hyderabad

...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 direct the Respondents No. 2 to 5 to consider and take action on the representation dt.09/06/2020 against the Respondents No. 6 to 8 and to stop illegal construction work and not to issue building construction permission in respect of the house bearing municipal No. 20-1-524, admeasuring 200.00 square yards equivalent to 167.22 square meters, situated at Old Kabutar Khana, Hyderabad, T.S in the interest of justice, pending disposal of WP No. 8447 of 2020, on the file of the High Court.

I.A.NO. 2 OF 2020

Between:

1. Madan Gopal Baheti, S/o. Late Srinivas Baheti, Occ. Business, R/o. H.No.20-2-656/A, Hussaini Alam, Hyderabad, T.S.
2. Shiv Kumar Baheti, S/o. Madan Gopal Baheti, Occ. Business, R/o. H.No.20-2-656/A, Hussaini Alam, Hyderabad.
3. Shailesh Baheti, S/o. Om Prakash Baheti, Occ. Company Secretary, R/o. H.No.20-2-656/a, Hussaini Alam, Hyderabad.

...Petitioners/Respondent Nos.6 to 8

(Respondents in WP 8447 of 2020
on the file of High Court)

AND

1. SRIGOPAL DARAK, S/o. SRINIVAS DARAK, aged about 48 years, Occ. Business, R/o. Premises No.19-1-912/A/10/7, Ground Floor, Murali Nagar, Bahadupura, Hyderabad, T.S

....Respondent No.1/Petitioner

2. The State of Telangana, Rep. by Principal Secretary, Municipal Administration Department, Secretariat, Hyderabad, T.S.
3. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, Near Tank Bund Road, Hyderabad, T.S.
4. The Deputy Municipal Commissioner, Greater Hyderabad Municipal Corporation, Circle No.9, Charminar (SZ) Baba Nagar, Chandrayan Gutta, Hyderabad, T.S.
5. The Zonal Commissioner, Greater Hyderabad Municipal Corporation Circle No.9, Charminar Zone, Baba Nagar, Chandrayan Gutta, Hyderabad, T.S.
6. The Assistant City Planner (Town Planning), Greater Hyderabad Municipal Corporation Circle No.9, (South Zone), Baba Nagar, Chandrayan Gutta, Hyderabad, T.S.

.. Respondents /Respondents

(Respondents in -do-)

(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 vacate the interim orders in I.A.No.1 of 2020 in W.P.No.8447 of 2020 dated 24-06-2020 in the interest of justice.

The petition coming on for hearing, upon perusing the petition and the affidavit filed therein, and the order of the High Court dated 24-06-2020 made in I.A.No.1 of 29020 in W.P.No. 8447 of 2020 and upon hearing the arguments of Sri Mohd. Saifuddin Ghor, Advocate for the Petitioner in I.A.No.1 of 2020 and Respondent No.1 in I.A.No. 2 of 2020, GP for MA & UD, for the Respondent NO.1 in I.A.No.1 of 2020 and Petitioner in I.A.No.2 of 2020, Sri P. Krishna Reddy, SC for GHMC, Advocate for the Respondent Nos.2 to 5 in I.A.No.1 of 2020 and Respondent Nos.3 to 6 in I.A.No. 2 of 2020 and Sri Aadesh Varma, Advocate for the Respondent Nos.5 to 8 in I.A.No.1 of 2020 and Petitioners in I.A.No.2 of 2020, the Court made the following:

ORDER:

On last three occasions i.e. on 09.12.2020, 14.12.2020 and 17.12.2020, there was no representation on behalf of the learned counsel for the writ petitioner.

Even today, there is no representation for the writ petitioner either in the morning or in the afternoon session, in spite of the matter being listed under the caption 'for dismissal'.

In view of the same, the interim order, dated 24.06.2020, passed by this Court in I.A.No.1 of 2020 is hereby vacated.

Sd/- B. SATYAVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri Mohd. Saifuddin Ghor, Advocate [OPUC]
2. One CC to Sri Aadesh Varma, Advocate (OPUC)
3. Two CCs to GP for MA & UD, High Court at Hyderabad. (OUT)
4. One spare copy

mvj

HIGH COURT

AAR, J

DATED: 21-12-2020

ORDER

I.A.No. 2 OF 2020
IN
WP NO: 8447 OF 2020

INTERIM ORDER VACATED

