

HIGH COURT FOR THE STATE OF TELANGANA : HYDERABAD

MAIN CASE NO: W.P.No.3424 of 2016

PROCEEDING SHEET

SL. NO	DATE	ORDER	OFFICE NOTE
7.	20.01.2026	<u>JAK, J</u> Matter pertains to year 2016. On 14.09.2022, this Court passed the following order: “No representation for counsel for the petitioner/s. Post the Writ Petition on 10.10.2022 under the caption “For Dismissal”. The respondents are directed to file counter affidavit in the Writ Petition by then and if no counter affidavits are filed by that date, the matter would be disposed of basing on the material available on record.” A set of instructions dated 27.02.2016 are forwarded to the office of Government Pleader for Revenue. On perusal of instructions, it is observed that the entire set of instructions are nothing but a photocopy of the report dated 02.07.2012 (P2 at Page No.21). This is an uncalled-for instruction on behalf of Tahsildar. In spite of the order dated 14.09.2022, for filing of counter affidavit, there is no compliance. It has been three years that this Court directed to file counter affidavit and no counter is there on record. As a last opportunity, respondents are requested to file counter within a period of one week, on payment of costs (Writ Rule 12). Writ Rule 12 of Writ Proceedings Rules, 1977, is as follows:	

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		“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. (b) Reply affidavits shall be filed unless otherwise ordered, within one month of receipt of copy of the Counter Affidavit. (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. (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. No such affidavit shall be entertained after the time extended in sub-rule (ii) without the leave of the Court.” Inspite of order dated 14.09.2022, no counter affidavit is forthcoming. This Court has no option but to levy costs on respondents of Rs.5,000/- to be paid to petitioners, the officer responsible to file counter shall pay the costs. Post the matter on 27.01.2026. plp JAK,J	

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