



**HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**FRIDAY, THE THIRTY FIRST DAY OF MARCH  
TWO THOUSAND AND TWENTY THREE**

**PRESENT**

**THE HON'BLE Dr. JUSTICE G.RADHA RANI**

**I.A.NO.1 OF 2022  
IN  
WRIT PETITION NO: 15938 OF 2009**

**Between:**

Parvez Ahmed Khan,, S/o. Late Sr Manzoor Ahmed Khan, Business, R/o.  
H.No. 16-2-35/1, Akbar Bagh, Malakpet, Hyderabad.

**...PETITIONER**

**AND**

1. The Chief Executive Officer,, Cantonment Board, Secunderabad.
2. Amaravathi Co-operative Housing Society,, Having office at 24, Emerald House, Secunderabad, Rep by its Secretary, D. Avanindra Kumar

**...RESPONDENTS**

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 reopen WP.NO. 15938 of 2009 by setting aside the orders dt.07.04.2022 and restore the said writ petition to the file of this Hon'ble Court for disposal on merits

This petition coming on for hearing, upon perusing the petition and affidavit filed in support thereof and upon reading the order dated 07.04.2022 in W.P.No.15938 of 2009 and upon hearing the arguments of Sri Aziz Hussain, counsel for the petitioner and of Sri K. R. Koteswara Rao, Standing Counsel for Respondent No. 1, the Court made the following: **ORDER**

**This application is filed to re-open the W.P.No.15938 of 2009 by setting aside the orders dated 07.04.2022 and to restore the writ petition to the file for disposal on merits.**

**Counter was filed by the respondent No.1**



2022:TSHC:22631

Heard the learned counsel for the petitioner and the learned counsel for the respondent No.1.

Considering the submission of the learned counsel for the petitioner that the senior counsel could not attend the court on 07.04.2022 due to his ill-health and the writ petition was closed on the said date as per the submission of the learned Standing Counsel for the Cantonment Board, that a speaking order was passed on the representations of the writ petitioner dated 21.10.2008 and 23.12.2008 in the year 2009 itself, but the writ petition was filed seeking some other reliefs to declare the in-action of the respondents in not permitting the petitioner to raise construction and also for not rectifying the original sanction layout to demarcate the petitioner's plot No.4 with a revised sanction plan which was not solved and the lis survives for adjudication, it is considered fit to re-open the writ petition so that the matter could be decided on merits.

Accordingly, I.A.No.1 of 2022 is allowed and the writ petition is directed to be posted before the regular bench having roster.

SD/-G.SIREESHA  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief Executive Officer,, Cantonment Board, Secunderabad.
2. The Secretary, Amaravathi Co-operative Housing Society,, Having office at 24, Emerald House, Secunderabad.
3. One CC to Sri Aziz Hussain Advocate [OPUC]
4. One CC to Sri K. R. Koteswara Rao, Advocate(OPUC)
5. Two CD Copies

MBC  
SB



2022:TSHC:22631

**HIGH COURT**

**DATED: 31/03/2023**

26 MAY 2023

**ORDER**

**I.A.NO.1 OF 2022  
IN  
WRIT PETITION NO: 15938 OF 2009**

**ALLOWING THE I.A.  
&  
RESTORING THE WIRT PETITION**

⑦ 11/03/23  
8/5/23