

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE NO.: W.A.Nos.1435 and 1526 of 2025

PROCEEDINGS SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
19.	28.04.2026	<p><u>MB,J & GPK,J</u></p> <p>Mr. Avinash Desai, learned Senior Counsel representing Mr. Vadeendra Joshi, learned counsel appearing for the appellant in W.A.No.1435 of 2025.</p> <p>Mr. A. Venkatesh, learned Senior Counsel representing Mr. N. Pavan Krishna Reddy, learned counsel appearing for the appellants in W.A.No.1526 of 2025.</p> <p>Mr. L. Ravi Chander, learned Senior Counsel representing Mr. Deepak Misra, learned counsel appearing for the respondent Nos.1 and 2.</p> <p>Mr.Sunil B Ganu, learned Senior Counsel representing Mr. P. Pratap, learned counsel appearing for the respondent No.5.</p> <p style="text-align: center;"><u>I.A.No.5 of 2026</u> <u>In</u> <u>W.A.No.1435 of 2026</u></p> <p>This application is filed to permit the petitioner/appellant to amend the prayer paragraph of the writ appeal and connected miscellaneous petitions by substituting the incorrect date being '30.12.2023' with the correct date being '08.12.2013', substituting the incorrect date of the reconstitution deed being '30.11.2011' with the correct date being '30.12.2011' in paragraph No.5 of the writ appeal and substituting the incorrect date being '05.12.2005' with the correct date being '05.12.2025' in paragraph No.11 of the writ appeal.</p> <p>The respondent Nos.1 and 2 have filed counter to the I.A. opposing the application for amendment of the aforesaid dates in different paragraphs of the Writ Appeal and connected Miscellaneous Petitions by substituting incorrect</p>	

W.A.Nos.1435 and 1526 of 2025

dates on the ground that the application is barred by the proviso to Order VI Rule 17 of Code of Civil Procedure, 1908 (CPC). It is further contended that the plea or proof of due diligence is neither pleaded nor established. It is a deliberate attempt to overcome the submission advanced by the respondents to fill up the *lacunae* exposed during the arguments.

However, learned counsel for the petitioner/appellant submits that by virtue of the amendments of mere substitution of the incorrect dates the contents or otherwise of the Writ Appeal will not be changed.

Having considered the submissions made by either parties, we are of the opinion that proviso to Order VI Rule 12 of the CPC, is not applicable to the present amendments, since the petitioner only seeks to make corrections to certain dates which were clearly the result of typographical errors. These are not substantive amendments which are contemplated under the proviso to Order VI Rule 12 of the CPC.

Accordingly, I.A.No.5 of 2026 is allowed.

The Registry is directed to carry out necessary amendments.

I.A.No.6 of 2026

In

W.A.No.1435 of 2026

This application is filed to permit the petitioner/appellant to amend the affidavit filed along with I.A.No.2 of 2025 in W.A.No.1435 of

W.A.Nos.1435 and 1526 of 2025

	<p>2025 and the connected miscellaneous petitions by substituting the incorrect date being '30.08.2023' with the correct date being '08.12.2013' in paragraph No.14 and in the prayer of the affidavit filed along with I.A.No.2 of 2025 in W.A.No.1435 of 2025; substituting the incorrect date of knowledge being '05.12.2005' with the correct date being '05.12.2025' in paragraph No.13 of the affidavit along with I.A.No.2 of 2026 in W.A.No.1435 of 2025; and substituting the incorrect date of reconstitution deed being '30.11.2011' with the correct date being '30.12.2011' in paragraph No.7 of the affidavit along with I.A.No.2 of 2026 in W.A.No.1435 of 2025.</p> <p>The respondent Nos.1 and 2 have filed counter to the I.A. opposing the application for amendment of the aforesaid dates in different paragraphs of the Writ Appeal and connected Miscellaneous Petitions by substituting incorrect dates on the ground that the application is barred by the proviso to Order VI Rule 17 of Code of Civil Procedure, 1908 (CPC). It is further contended that the plea or proof of due diligence is neither pleaded nor established. It is a deliberate attempt to overcome the submission advanced by the respondents to fill up the <i>lacunae</i> exposed during the arguments.</p> <p>However, learned counsel for the petitioner/appellant submits that by virtue of the amendments of mere substitution of the incorrect dates the contents or otherwise of the</p>	
--	--	--

W.A.Nos.1435 and 1526 of 2025

Writ Appeal will not be changed.

Having considered the submissions made by either parties, we are of the opinion that proviso to Order VI Rule 12 of the CPC, is not applicable to the present amendments, since the petitioner only seeks to make corrections to certain dates which were clearly the result of typographical errors. These are not substantive amendments which are contemplated under the proviso to Order VI Rule 12 of the CPC.

Accordingly, I.A.No.6 of 2026 is allowed.

The Registry is directed to carry out necessary amendments.

I.A.No.7 of 2026

In

W.A.No.1435 of 2026

This application is filed to permit the petitioner/appellant to amend the affidavit filed along with I.A.No.3 of 2025 in W.A.No.1435 of 2025 and connected miscellaneous petitions by substituting the incorrect date '30.08.2023' with the correct date '08.12.2023' in paragraph No.14 and the prayer in the affidavit filed along with I.A.No.3 of 2025 in W.A.No.1435 of 2025 and Miscellaneous Petitions; substituting the incorrect date of knowledge being '05.12.2005' with the correct date being '05.12.2025' in paragraph No.13 of the affidavit filed along with I.A.No.3 of 2025 in W.A.No.1435 of 2025; and substituting the incorrect date of the reconstitution deed being '30.11.2011' with the correct date being '30.12.2011' in paragraph No.7 of the affidavit along with I.A.No.3 of 2025

W.A.Nos.1435 and 1526 of 2025

in W.A.No.1435 of 2025.

The respondent Nos.1 and 2 have filed counter to the I.A. opposing the application for amendment of the aforesaid dates in different paragraphs of the Writ Appeal and connected Miscellaneous Petitions by substituting incorrect dates on the ground that the application is barred by the proviso to Order VI Rule 17 of Code of Civil Procedure, 1908 (CPC). It is further contended that the plea or proof of due diligence is neither pleaded nor established. It is a deliberate attempt to overcome the submission advanced by the respondents to fill up the *lacunae* exposed during the arguments.

However, learned counsel for the petitioner/appellant submits that by virtue of the amendments of mere substitution of the incorrect dates the contents or otherwise of the Writ Appeal will not be changed.

Having considered the submissions made by either parties, we are of the opinion that proviso to Order VI Rule 12 of the CPC, is not applicable to the present amendments, since the petitioner only seeks to make corrections to certain dates which were clearly the result of typographical errors. These are not substantive amendments which are contemplated under the proviso to Order VI Rule 12 of the CPC.

Accordingly, I.A.No.7 of 2026 is allowed.

The Registry is directed to carry out necessary amendments.

W.A.Nos.1435 and 1526 of 2025**I.A.No.8 of 2026****In****W.A.No.1435 of 2026**

This application is filed to permit the petitioner/appellant to amend the affidavit filed along with I.A.No.4 of 2025 in W.A.No.1435 of 2025 by substituting the incorrect date being '05.12.2005' with the correct date being '05.12.2025' in paragraph No.13; and substituting the incorrect date of reconstitution deed being '30.11.2011' with the correct date being '30.12.2011' in paragraph No.7 of the affidavit along with I.A.No.4 of 2026 in W.A.No.1435 of 2025.

The respondent Nos.1 and 2 have filed counter to the I.A. opposing the application for amendment of the aforesaid dates in different paragraphs of the Writ Appeal and connected Miscellaneous Petitions by substituting incorrect dates on the ground that the application is barred by the proviso to Order VI Rule 17 of Code of Civil Procedure, 1908 (CPC). It is further contended that the plea or proof of due diligence is neither pleaded nor established. It is a deliberate attempt to overcome the submission advanced by the respondents to fill up the *lacunae* exposed during the arguments.

However, learned counsel for the petitioner/appellant submits that by virtue of the amendments of mere substitution of the incorrect dates the contents or otherwise of the Writ Appeal will not be changed.

W.A.Nos.1435 and 1526 of 2025

Having considered the submissions made by either parties, we are of the opinion that proviso to Order VI Rule 17 of the CPC, is not applicable to the present amendments, since the petitioner only seeks to make corrections to certain dates which were clearly the result of typographical errors. These are not substantive amendments which are contemplated under the proviso to Order VI Rule 17 of the CPC.

Accordingly, I.A.No.8 of 2026 is allowed.

The Registry is directed to carry out necessary amendments.

W.A.Nos.1435 and 1526 of 2025

The Court will hear learned Senior Counsel appearing for the appellant in I.A. No.2 of 2025 (Condone Delay Petition) in W.A. No.1435 of 2025 and appellants in I.A.No.2 of 2025 in W.A.No.1526 of 2025 on 05.05.2026.

List these matters on 05.05.2026.

MB,J

GPK,J

PN/KRK