

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.1341/2001

(From the judgement and order dated 15/12/1999 in WA 1945/99
of The HIGH COURT OF A.P AT HYDERABAD)

HYDERABAD URBAN DEVELOPMENT AUTHORITY

Petitioner (s)

VERSUS

VASI REDDY RAJYA LAXMAMMA

Respondent (s)

(With prayer for interim relief and office report)
(For Final Disposal)

With S.L.P. (C) No.1342 of 2001
(With prayer for interim relief and office report)

S.L.P. (C) No.1987 of 2001
(With prayer for interim relief and office report)

Date : 12/07/2002 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI
HON'BLE MR. JUSTICE S.N. VARIAVA

For Petitioner (s) Mr. K. Ram Kumar,Adv.
Mr. B. Sridhar,Adv.

For Respondent (s) Mr. G. Ramakrishna Prasad,Adv.
In SLP 1341/01: Mr. Mohd. Wasay Khan,Adv.
Mr. K.C. Sudershan,Adv.
Mr. Jayanth Muthu Raj,Adv.
Mr. K.V. Ramakrishna,Adv.

In SLP 1987/01: Mr. M.N. Rao,Sr.Adv.
Mr. T.N. Rao,Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I..T.....T.....T.....T.....T.....T.....T.....J
S.L.P. (C) Nos.1341/2001 and 1342/2001:@@
CC

Heard Mr. K. Ram Kumar, learned counsel for the
petitioner and Mr. G. Ramakrishna Prasad, learned counsel
for the respondent, from 12.40 p.m. to 12.55 p.m.

The subject matter of challenge in this appeal is the following order of the Division Bench of the High Court of Andhra Pradesh in Writ Appeal No. 1945 of 1999:

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.SP1

"The respondent is at liberty to construct the building in the plots in question in terms of the sanctioned plan. But, however, she shall give an undertaking that in the eventuality of the SLP and the Writ Appeal being allowed, she will not claim any compensation or equitable right on account of the construction made by her in the plots in question.

List the appeal after SLP is disposed of by the

- 2 -

Hon'ble Supreme Court. The learned counsel for the parties shall inform about the result of the SLP within 15 days of its disposal so that this appeal can be listed for disposal."

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A perusal of the order under challenge shows that it is in two parts. The first part is an interim order passed by the High Court purporting to follow interlocutory order dated 20th September, 1999 made by this court in Government of Andhra Pradesh & Ors. vs. Sridevi & Ors. (S.L.P. (C) No. 651 of 1999). The second part of the impugned order directs that the writ appeal be listed after the disposal of the special leave petition (in Srivedi's case) by this court. Now, that this court has disposed of the said case [Government of Andhra Pradesh & Ors. vs. Sridevi & Ors. (2002 (3) SCALE 526)] setting aside the order of the Division Bench of the High Court, the proper course for the appellant would be to move the High Court for disposal of the writ appeal in the light of the aforesaid judgment of this court.

The civil appeal is, accordingly, disposed of.
No costs.

Civil Appeal No. 3996 of 2002 @ S.L.P. (C) No. 1342 of 2001:
Leave is granted.

This appeal is disposed of in terms of the order that we have passed in the connected appeal (Civil Appeal No. 3995 ...3/-

- 3 -

of 2002 arising out of S.L.P. (C) No. 1341 of 2001).
The civil appeal is, accordingly, disposed of.
No costs.

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(Syed Shah Mohammed Quadri)@@
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.....J.@@
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(S.N. Variava)@@
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New Delhi,
July 12, 2002.