

ITEM NO.35

COURT NO.8

SECTION XIIA

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 14596/2011  
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 02/03/2010  
IN WP NO.26022/2009 PASSED BY THE HIGH COURT OF ANDHRA PRADESH AT  
HYDERABAD)

TAJ MOHAMMED (D) THR. LRS. &amp; ORS.

PETITIONER(S)

VERSUS

SULTAN MOHINUDDIN (D) THR. LRS. &amp; ORS.

RESPONDENT(S)

(WITH INTERIM RELIEF AND OFFICE REPORT)

WITH I.A. NOS.2-4 (APPLN. FOR C/DELAY IN FILING SLP AND IMPLEADMENT  
AND DIRECTIONS)

WITH

S.L.P. (C)...CC NO. 9378/2011

(WITH APPLN. (S) FOR PERMISSION TO FILE SLP AND OFFICE REPORT)

Date : 27/07/2015 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RANJAN GOGOI

HON'BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s)

Mr. Guru Krishnakumar, Sr. Adv.

Mr. Ananga Bhattacharyya, Adv.

Mr. Rohit Rao N., Adv.

Mr. Tarun Gulia, Adv.

For Respondent(s)

Mr. K. Radhakrishnan, Sr. Adv.

Mr. Deepak Goel, Adv.

Mr. Sunil Mathew, Adv.

Mr. B. V. Balaram Das, Adv.

Mr. Nitin Kumar Thakur, Adv.

UPON hearing the counsel the Court made the following

O R D E R

SLP(C) NO.14596/2011

Leave granted.

The appeal is disposed of in terms of the signed  
order.

The status quo order passed by this Court shall continue until the High Court re-decides the matter in terms of the present order.

SLP(C) NO...CC NO.9378/2011

Permission to file Special Leave Petition is granted.

Learned counsel appearing for the petitioner prays for liberty to withdraw this Special Leave Petition and instead approach the High Court. He is permitted to do so. Accordingly, the Special Leave Petition is closed on withdrawal with liberty as aforesaid.

[VINOD LAKHINA]  
COURT MASTER

[ASHA SONI]  
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.5761 OF 2015  
[ARISING OUT OF SPECIAL LEAVE PETITION  
(CIVIL) NO.14596/2011]

TAJ MOHAMMED (D) THR. LRS.  
& ORS. . . . . APPELLANTS

VERSUS

SULTAN MOHINUDDIN (D) THR. LRS.  
& ORS. . . . . RESPONDENTS

ORDER

1. Delay condoned.
2. Leave granted.
3. The impugned order dated 2<sup>nd</sup> March, 2010 passed by the High Court of Andhra Pradesh is an ex parte order. Though the matter has been remanded to the Authority for consideration under Rule 15 of the A.P. Land Grabbing (Prohibition) Rules, 1988, in para 6 of the order of the High Court there are certain operative findings which, in our considered view, may have the effect of prejudicing the appellants.

4. In such circumstances, without expressing any opinion whatsoever on the merits of the controversy, we remand the matter to the High Court with a request to the High Court to hear and decide the matter afresh after hearing all the contesting parties.

5. The status quo order passed by this Court shall continue until the High Court re-decides the matter in terms of the present order.

6. The appeal is disposed of in the above terms. Consequently, all pending applications are also disposed of.

.....,J.  
(RANJAN GOGOI)

.....,J.  
(N.V. RAMANA)

NEW DELHI  
JULY 27, 2015