

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

-
HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE SANJAY KUMAR

-
WRIT APPEAL No. 756 OF 2015

Date: 07.08.2015

Between:

Abji Patel
& others.

... Appellants

And

The Greater Hyderabad Municipal Corporation,
Rep., by its Commissioner, Hyderabad,
& others.

... Respondents

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE SANJAY KUMAR**

WRIT APPEAL No. 756 OF 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

Sri Vedula Venkataramana, learned Senior counsel appearing for the appellants, submits that he has instructions not to press this appeal on merits and seeks some reasonable time to vacate the shop premises (Mulgies) where the appellants carry on timber and plywood business.

Sri N. Ashok Kumar, learned counsel for the respondents, left it to the Court as to how much time should be granted to the appellants to vacate the shop premises. He, however, submits that time to vacate the premises may be granted only on the appellants furnishing undertakings to this Court.

Having regard to the submissions of the learned counsel for the parties, we are satisfied that the following order will meet the ends of justice.

“The order passed by the learned Single Judge, dated 06.07.2015, in W.P.No.1018 of 2015 is confirmed.

The appellants are, however, allowed to continue to be in possession of their respective shop premises (Mulgies) bearing municipal Nos. 5-5-698, 5-5-693, 5-5-695, 5-5-697, 5-5-754/1, 5-5-799/1, 5-5-848/1, 5-5-885/1, 5-5-699 and 730/2 and 5-5-696 of

Goshamahahal, Malakunta X Roads, Hyderabad, till 31.12.2015, subject to their furnishing undertakings in the form of affidavits before this Court on or before 21.08.2015. In the undertakings, the appellants to state that they are in exclusive possession of their respective shop premises (Mulgies) and that they shall not create any third party rights therein or part with possession thereof and shall handover vacant and peaceful possession to the respondents on or before 31.12.2015. On such undertakings being furnished, the appellants are allowed to remain in possession till 31.12.2015.”

Writ appeal is accordingly disposed of.

Miscellaneous petitions, if any, shall also stand disposed of.

DILIP B. BHOSALE, ACJ

SANJAY KUMAR, J

Date: 07.08.2015

ES