

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 S.V. BHATT

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WRIT APPEAL No. 1009 OF 2015

Date: 12.11.2015

Between:

M/s. Madan Mohanlal Shriram Pvt., Ltd.,
Rep., by its Authorized Signatory,
Hyderabad.

... Appellant

And

The State of Telangana, rep., by its Principal Secretary,
Revenue (U.C.) Department,
Hyderabad & others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

WRIT APPEAL No. 1009 OF 2015

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

Heard learned counsel for the parties.

This writ appeal challenges the order, dated 30.09.2015, passed on W.P.M.P.No.40746 of 2015 in W.P.No.31505 of 2015, which read thus:

“Though petitioners question G.O.Ms.No.2136, dated 13.12.2005, now present writ petition is filed in the year 2015. It is brought to my notice by the learned counsel for the petitioners and also confirmed by the learned Government Pleader that by order of this Court in W.P.M.P.No.1887 of 2006 in W.P.No.1579 of 2006, dated 13.01.2006, the impugned GO was stayed insofar as the land allegedly purchased by the petitioner therein in survey No.129/5.

In view of that, there shall be similar order in this case also. However, the question of delay and laches is kept open for consideration at the time of final disposal.

Hence, rule nisi. Call for records.

Notice returnable in four weeks.

There shall be interim stay insofar as the land allegedly purchased by the petitioners.

List along with W.P.No.1579 of 2006.”

Learned counsel for the appellant submits that the said order was passed *ex-parte* and it is likely to cause prejudice to the appellant. He, however, submits that he has not made any application either for vacating the interim order or for its modification.

In view thereof, when we suggested that the appellant can file a vacate application and if any such application is filed, this Court may request learned Judge to decide the same expeditiously, he instantly accepted the suggestion

and prayed for withdrawal of the appeal. Hence, we pass the following order:

“Writ appeal is disposed of as withdrawn with liberty to the appellant to file vacate application within a period of one week from today. If any such application is filed, we request learned Judge, who is ceased of the matter, to consider and decide the said application expeditiously. All contentions on merits are kept open.”

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

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Date: 12.11.2015

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