

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

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT APPEAL NO.279 OF 2015

DATED:22.4.2015

Between:

N. Arif Ali

... Appellant

And

The State of Telangana Housing Board

Rep. by its Vice Chairman & Commissioner

Gruhakalpa

MJ Road

Hyderabad

and another ... Respondents

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA

AND

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-

WRIT APPEAL NO.279 OF 2015

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JUDGMENT: (per the Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

We have heard the learned counsel for the appellant and the learned counsel for the respondents.

We are of the view that the appeal can be disposed of finally.

The writ petitioner - appellant is apprehending dispossession without due process of law. However, whether the petitioner – appellant has been in possession of the

property in question or not is a disputed question of fact. We, therefore, think that the following order would subserve the interest of justice.

In the event the petitioner - appellant has been in physical possession of the property in question as on today, he shall not be dispossessed without following due process of law.

The judgment and order of the learned single Judge is modified to the extent as above.

The writ appeal is accordingly disposed of.

Pending miscellaneous petitions, if any, shall stand closed. There will be no order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J
22.4.2015