

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT APPEAL No. 362 OF 2015

01-07-2016

Between:

Saket Pranaam Flat Owners Association, rep., by its General
Secretary, Hanumantharao Malladi, S/o. M.Kanakaiah, aged about 67
years, R/o. Flat No. 603, A-Block, Saket Pranaam, Kapra Village,
Keesara Mandal, Hyderabad

... Appellant

And

The Greater Hyderabad Municipal Corporation, rep., by its
Commissioner, Liberty Circle, Hyderabad and others

... Respondents

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HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO

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WRIT APPEAL No. 362 OF 2015

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

Heard Sri Vedula Venkataramana, learned Senior Counsel for the appellant; Sri V. Narasimha Goud, learned counsel for respondent No.2 and Sri Abhishek Reddy, learned counsel for respondent No.6.

This writ appeal is directed against the order dated 23-12-2013 passed in WVMP No. 3144 of 2013 in WPMP Nos.21075 and 21076 of 2013 in Writ Petition No. 17351 of 2013, whereby the interim order granted earlier vide order dated 19-06-2013 had been vacated. As a result thereof, the respondent – developer was allowed to proceed with further construction and even to create third party rights in the property in dispute making it clear to the prospective purchasers that the construction will abide by the result of the writ petition.

In this backdrop, after perusing the impugned order and other materials on record, when we expressed to learned counsel for the parties that we propose to dispose of the writ petition by the following order, they agreed for the same and fairly stated that we need not record any reasons for the same:

“(1) The order dated 23-12-2013, impugned in the present appeal is set aside and the order dated 19-06-2013 is restored, pending hearing and final disposal of the writ petition.

(2) Learned Judge who is assigned to hear the writ petition

shall dispose of the same expeditiously.

(3) Pending the hearing and final disposal of the writ petition, the respondent – developer shall not carry out any further construction and/or create third party rights in the property. If he has entered into any agreement with any prospective purchaser/s, he may either cancel the agreement or inform the prospective purchaser/s about this order within a period of two weeks from today.”

With these observations, writ appeal is disposed of.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

P. NAVEEN RAO, J

01-07-2016

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