

HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.10525 OF 2014

ORDER:

Heard Mr. A. Anand Achary for petitioner and Mr. Tarun G. Reddy for respondent Nos.4 and 5.

2. The petitioner challenges building permissions granted by respondent No.3 in favour of respondent Nos.4 and 5, for plot Nos.19 and 21 covered by L.P.No.22/93HRO in Armour Town. O.S.No.53 of 2009 on the file of Principal Junior Civil Judge, Armour, filed by respondent Nos.4 and 5 herein for perpetual injunction was pending. The permissions granted in favour of respondent Nos.4 and 5 stipulate the time limit for construction of buildings. Condition No.18 reads as follows:

“ఇట్టి అనుమతి యొక్క కాలపరిమితి 23.10.2013 నుండి 22.10.2016 వరకు గలదు.”

3. The building permission is valid between 23.10.2013 and 22.10.2016. Counsel for respondent Nos.4 and 5 submits that the construction within the stipulated time could not be completed, and secondly, respondent Nos.4 and 5 have as on date not applied for extension of time or for fresh building permission. Therefore, consideration of grievance of the petitioner against the building permissions is simply academic issue. He further submits that as and when steps are taken by respondent Nos.4 and 5 for securing permission from respondent No.3, if the petitioner has grievance

against granting permission, the grievance can be ventilated before respondent No.3.

4. Mr. A. Anand Achary submits that a suit in O.S.No.49 of 2016 is pending for comprehensive reliefs on subject matter of Writ Petition and the petitioner reserves right to take steps necessary for impleading in the pending suit and/or file objections before respondent No.3, as and when respondent Nos.4 and 5 apply for either renewal or fresh permission in this behalf.

5. This Court is of the view that with the passage of time, the consideration of objections of petitioner in the present Writ Petition is academic and hence, for the present not considered. However, liberty is granted to petitioner to raise objections before appropriate forum/Court as provided by law.

6. Writ Petition is disposed of accordingly. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

S.V. BHATT, J

August 07, 2017.
MD