

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.9617 of 2021

ORDER:

Heard the learned counsel for the petitioner, Sri Sampath Prabhakar Reddy, the learned Standing Counsel for GHMC for respondent Nos.1 and 2, and the learned Government Pleader for Revenue for respondent Nos.3 and 4. With their consent, the Writ Petition is disposed of at the stage of admission itself.

The present Writ Petition is filed seeking to declare the action of the respondents in insisting the petitioner for production of Clearance Certificate or No-Objection Certificate from ULC authorities in respect of the subject plot situated in Survey No.73, Kondapur Village, Serilingampally Revenue Mandal, Ranga Reddy District, as illegal and arbitrary.

Admittedly, by virtue of the common order, dated 28.03.2017, passed by a learned Single Judge of this Court in W.P.No.21580 of 2008 & batch, the subject land cannot be treated as a surplus land and the relevant proceedings initiated under the Urban Land (Ceiling and Regulation) Act, 1976, were also quashed.

Though, the learned Government Pleader, on instructions, has stated that as against the judgment dated 28.03.2017, passed in W.P.No.21580 of 2008, the Government has preferred an appeal being W.A.No.166 of 2018, and the same is pending adjudication before a Division Bench of this Court, but has fairly conceded that no interim orders are passed thereon till date.

In view of the same, the official respondents are directed to consider the application dated 03.05.2008 made by the petitioner for LRS without insisting for production of NOC from the ULC Department, and pass necessary orders thereon, duly taking into consideration the order of this Court passed in W.P.No.21580 of 2008 & batch, dated 28.03.2017, as expeditiously as possible, preferably, within a period of three weeks from the date of receipt of a copy of this order. However, it is made clear that any orders likely to be passed by the official respondents are subject to the final orders likely to be passed in W.A.No.166 of 2018 and batch and the petitioner shall not claim any equities in case any adverse orders are passed against her in the writ appeal. In case of any alienation, the petitioner shall inform the purchaser about the pendency of the litigation and also that any orders passed by the authorities under the LRS scheme are subject to the final orders likely to be passed in W.A.No.166 of 2018 and batch, and such alienation made by the petitioner is also subject to the final result of the W.A.No.166 of 2018 and batch.

Accordingly, the Writ Petition is disposed of.

The miscellaneous petitions pending, if any, shall stand closed.

There shall be no order as to costs.

Date: 15.04.2021

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A.ABHISHEK REDDY, J