

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.23753 of 2018

ORDER:

Heard learned counsel for the petitioner and Sri Sampath Prabhakar Reddy, learned Standing Counsel for respondent-Corporation..

2. When the matter is taken up, it is submitted by learned counsel for the petitioner so also learned Standing Counsel that the issue in the present writ petition is squarely covered by the Order, dated 16.11.2007, in W.P.No.12861 of 2007 of this Court. A copy of the same is filed along with writ petition as material paper. The operative portion of the said order reads as under:

“Therefore, in the absence of any legal bar for granting building permission subject to the petitioner satisfying the requirements of Section 428 of the Hyderabad Municipal Corporation Act, 1955, the petitioner is entitled to grant of building permission. However, in the event of LGC case, which is pending before the Special Court, being decided against him, the petitioner shall not claim equities or compensation for cost of the building constructed by him. The respondents shall accordingly consider the application of the petitioner for granting building permission.”

3. Following the said order and the reasons recorded therein, this writ petition is also allowed in terms thereof. There shall be no order as to costs.

4. Office to enclose a copy of the order, dated 16.11.2007, in W.P.No.12861 of 2007 to this order.

5. Miscellaneous Petitions pending consideration, if any, in this
Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date: 11.07.2018
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