

THE HON' BLE SRI JUSTICE PRAVEEN KUMAR

WRIT PETITION No.47183 of 2018

ORDER:

Heard learned counsel for the petitioner and Smt. Pingali Lakshmi, learned Standing Counsel for respondent Nos.2 and 3.

It is not disputed by learned counsel for both sides that this case is similar to W.P.No.19897 of 2016, dated 22.06.2016 and that the decision therein would apply to the present case also.

Briefly stated, the petitioner made an application dated 03.12.2018 for building permission before the second respondent.

By the impugned order dated 21.12.2018, the petitioner was requested to comply with the objections to grant building permission.

It is not disputed that a final notification approving the master plan is yet to be issued. As the master plan is still at the draft stage, it cannot be said to have come into force. The petitioner would therefore be entitled to have his application for building permission considered by the second respondent in accordance with the existing master plan. The impugned endorsement dated 21.12.2018 is contrary and the same is accordingly set aside.

Having regard to the facts and circumstances of the case and in view of the order dated 22.06.2016 passed by this Court in W.P.No.19897 of 2016, the writ petition is disposed of permitting the petitioner to resubmit his application for building permission. Within four (04) weeks from the date on which the petitioner resubmits his application for building permission, respondents shall consider the same in accordance with law including the provisions of the Greater Hyderabad Municipal

Corporation Act, 1955, and the Rules and Bye-laws made thereunder and take a decision thereupon and communicate it to petitioner.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

JUSTICE C. PRAVEEN KUMAR

28.12.2018
vnb

