

High Court for the State of Telangana

The Hon'ble The Chief Justice Raghvendra Singh Chauhan

and

The Hon'ble Dr Justice Shameem Akther

W.A. No. 367 of 2019

Date: 12-07-2019

Between:

K. Anjaneya Prasad and 2 others

...Appellants

and

Dr. (Smt) P. Usha Rani and 13 others

...Respondents

Counsel for the Appellants:

Mr. Vedula Srinivas

Counsel for respondent Nos.1 to 3:

**Mr. G. Vidyasagar
for Mr. K. Udayasri**

Counsel for the respondent No.4:

**GP for Municipal Administration
& Rural Development**

Counsel for the respondent Nos.5 to 7:

**Mr. Sampath Prabhakar Reddy,
SC for GHMC**

The Court made the following:

Judgment: (per Hon'ble The Chief Justice Raghvendra Singh Chauhan)

The appellants have challenged the legality of the order dated 08-04-2019, passed by the learned Single Judge, in I. A. No. 5 of 2019, in W. P. No. 16237 of 2018, whereby the learned Single Judge has directed both the parties to maintain *status quo* as obtained on the said date.

Mr. Vedula Srinivas, the learned counsel for the appellants, submits that the *status quo* order has been passed by the learned Single Judge without assigning any reasons. Therefore, the learned counsel pleads that it is a non-speaking order, which cannot be sustained in the eyes of law.

Mr. G. Vidya Sagar, the learned Senior Counsel for the respondents, on the other hand, submits that since the dispute is with regard to a property, about which both the parties are adamant that they have title thereto, the said property needs to be preserved during the pendency of the litigation. Therefore, according to the learned Senior Counsel, the order passed by the learned Single Judge is legally sustainable.

Heard both the learned counsel for the parties, and perused the impugned order.

Needless to say, even while granting an interim stay, the Court is required to give reasons for the same. However, in the present case, while passing the *status quo* order, the learned Single Judge has not given any reasons. Therefore, the impugned order is a non-speaking order.

Hence, this Court sets aside the impugned order, dated 08-04-2019, in IA.No.5 of 2019 in WP.No.16237 of 2018, and remands the case to the learned Single Judge to rehear the parties on IA.No.5 of 2019, and to decide the same after giving detailed reasons.

Accordingly, this appeal stands disposed of.

As a sequel to dismissal of the writ appeal, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(Raghvendra Singh Chauhan, CJ)

(Dr. Shameem Akther, J)

Dt: 12th July, 2019
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