

HIGH COURT FOR THE STATE OF TELANGANA

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

Writ Appeal No.777 of 2019

08.11.2019

Between:

M/s. Vishnu Infra Projects Private Limited

...Appellant

and

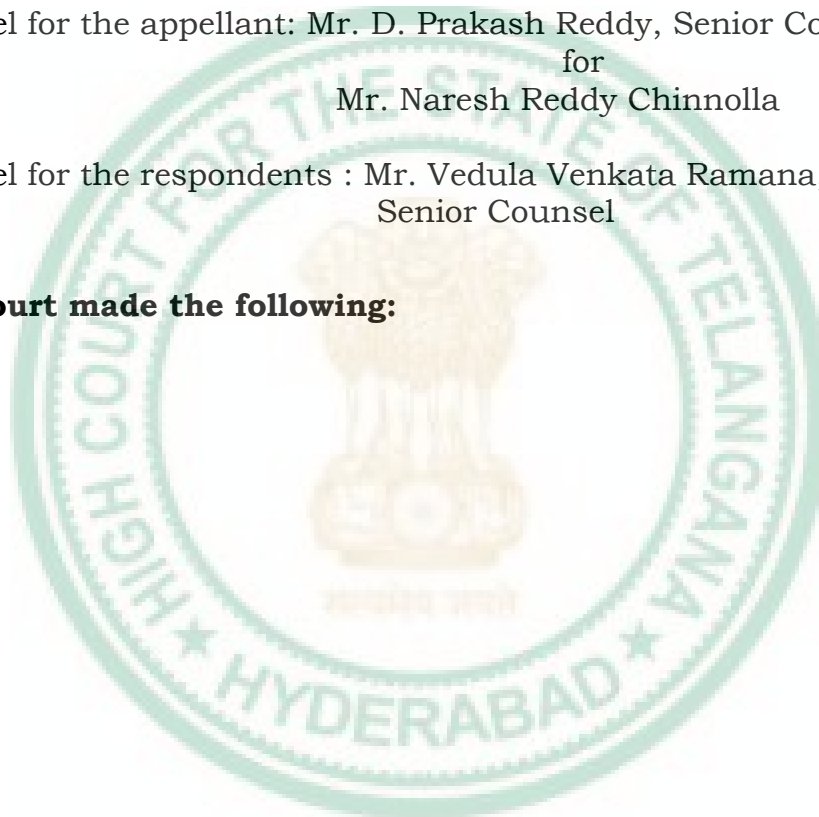
B. Subba Reddy and others

...Respondents

Counsel for the appellant: Mr. D. Prakash Reddy, Senior Counsel
for
Mr. Naresh Reddy Chinnolla

Counsel for the respondents : Mr. Vedula Venkata Ramana,
Senior Counsel

The Court made the following:



JUDGMENT: (Per the Hon'ble Sri Justice A. Abhishek Reddy)

The appellant has challenged the legality of the order dated 30.09.2019, passed by a learned Single Judge in I.A.No.1 of 2019 in W.P.No.21087 of 2019, whereby the learned Single Judge had suspended the endorsement dated 26.10.2018 made by the respondent No.4/respondent No.10 herein at Sl.No.16/104 of the "Statement of Encumbrance on Property" in respect of lands, admeasuring in all Ac.13.17 guntas, situated in Survey Nos.1003, 1004, 1005 and 1006 of Kukatpally Village.

While Mr. D. Prakash Reddy, the learned Senior Counsel appearing for the appellant-respondent No.22, concedes that no counter has been filed by the appellant-respondent No.22 in the main writ petition, Mr. Vedula Venkata Ramana, the learned Senior Counsel appearing for the respondents, requests this Court to remit back the matter to the learned Single Judge to hear the vacate stay petition, likely to be filed by the appellant-respondent No.22, on merits.

The present appeal is filed against the granting of interim orders at the stage of admission of the writ petition, counter by the contesting parties is yet to be filed in the main writ petition. In the absence of any counter/vacate stay petition in the main writ petition, it is not possible for this Court to pass any order on merits.

The appellant is therefore directed to file its counter/vacate stay petition in the main writ petition, the ends of justice would be met, if the matter is remitted back to the learned Single Judge, with a request to hear the vacate stay petition, as expeditiously as possible, preferably within a period of one (1) month from the date

of receipt of a copy of this order. Meanwhile, both the parties are directed to maintain *status quo* in respect of the subject property.

With the above directions, the Writ Appeal is accordingly disposed of. There shall be no order as to costs.

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

RAGHVENDRA SINGH CHAUHAN, CJ

A. ABHISHEK REDDY, J

08th November, 2019

Note: Issue C.C today.

JSU



High Court for the State of Telangana**THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN****AND****THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY****Writ Appeal No.777 of 2019****(Per the Hon'ble Sri Justice A. Abhishek Reddy)****Date: 08.11.2019****JSU**