

THE HON'BLE THE CHIEF JUSTICE UJJAL BHUYAN

AND

THE HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT APPEAL No.498 of 2022

JUDGMENT: *(Per the Hon'ble the Chief Justice Ujjal Bhuyan)*

Heard Mr. Y.Rama Rao, learned Standing Counsel for the appellant and Mr. C.Hanumantha Rao, learned counsel for respondents No.1 and 2 (writ petitioners). We have also heard Mr. Srinivasa Srikanth, learned Assistant Government Pleader for Municipal Administration and Urban Development Department appearing for respondent No.3; Mr. Parsa Ananth Nageswar Rao, learned Government Pleader appearing for respondent Nos.4, 5, 6, 7 and 8; Mr. N.Praveen Kumar, learned Standing Counsel appearing for respondent No.9; Mr. M.Ramgopal Rao, learned counsel for respondent No.10; Mr.T.Srikanth Reddy, learned Government Pleader for Home appearing for respondent No.11; and Mr. C.Hari Preeth, learned counsel appearing for respondent No.12.

2. This writ appeal has been preferred by the Hyderabad Metropolitan Development Authority (HMDA) as the appellant assailing the order dated 31.03.2022 passed by the learned Single Judge in W.P.No.9522 of 2022 filed by respondents No.1 and 2 as the writ petitioners.

3. At the outset, learned counsel for the appellant has made it clear that this appeal is confined only to the imposition of costs and not on the merit of the decision rendered by the learned Single Judge.

4. Relevant portion of the order of the learned Single Judge reads as under:

“18. Hence, the writ petition is partly allowed by setting aside the impugned order as far observing that the permission granted to the petitioners dated 22.12.2020 is revoked. The writ petitioners shall pay an amount of Rs.25,000/- (Rupees twenty five thousand only) towards costs and the officer who has passed the order impugned shall also pay an amount of Rs.25,000/- (Rupees twenty five thousand only) towards costs payable to the High Court Legal Services Committee, Hyderabad.”

5. After hearing learned counsel for the appellant and considering the materials on record, including the order

dated 31.03.2022, we are of the view that imposition of the costs on the appellant was not justified.

6. Consequently, costs of Rs.25,000/- (Rupees twenty five thousand only) imposed on the concerned officer of the appellant is hereby set aside.

7. Writ appeal is disposed of.

Miscellaneous applications pending, if any, shall stand closed. However, there shall be no order as to costs.

UJJAL BHUYAN, CJ

SUREPALLI NANDA, J

03.08.2022
vs