

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY, THE TWENTY FOURTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA
AND
THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT APPEAL NO: 1290 OF 2018

Writ Appeal under Clause 15 of the Letters Patent appeal preferred against the order dated 20-12-2017 in W.P. No. 15646 of 2017 on the file of the High Court.

Between:

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad
2. The Joint Collector, Hyderabad, District-cum-Chairman of No Objection Committee, Nampally, Hyderabad

...Appellants/Respondents

AND

1. Nayanth M.Savani, S/o. late Maniklal Vadilal Savani, aged about 40 years, R/o. Door No. 14-3-251/1 and 2, Feelkhana, Goshamahal, Hyderabad - 12
2. Hansat M.Savani, S/o. Late Maniklal Vadilal Savani, aged about 39 years, R/o. Door No. 14-3-251/1 and 2, Feelkhana, Goshamahal, Hyderabad -12.

...Respondents/Petitioner in W.P.

3. The Greater Hyderabad Municipal Corporation, Rep. by its Commissioner, tank bund Road, Hyderabad.

(Respondent No.3 is formal party)

...Respondent/Respondent in W.P.

IA NO: 2 OF 2018

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of order of Learned Single Judge dt. 20.12.2017 in WP.No.15646 of 2017, pending disposal of the Writ Appeal.

Counsel for the Appellants: GP FOR REVENUE

Counsel for the Respondent Nos.1 & 2: SRI PRAMOD SINGH

The Court delivered the following: JUDGMENT

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA

AND

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT APPEAL No.1290 of 2018

JUDGMENT: *(Per the Hon'ble the Chief Justice Satish Chandra Sharma)*

The present writ appeal is arising out of an order dated 20.12.2017 passed by the learned Single Judge in W.P.No.15646 of 2017.

The facts of the case reveal that the respondents No.1 and 2/writ petitioners came up before this Court challenging the order dated 01.04.2017 passed by the Joint Collector, Hyderabad District, rejecting No Objection Certificate to the respondents No.1 and 2/writ petitioners for obtaining construction permission from the Greater Hyderabad Municipal Corporation (GHMC). When the matter came up for hearing, the learned counsel for the respondents No.1 and 2/writ petitioners brought to the notice of the learned Single Judge that the issue involved in the writ petition stood concluded on account of the judgment delivered in the case of **Hyderabad Potteries Pvt. Ltd. v. Collector, Hyderabad District and another**¹. The learned Government Advocate appearing in the matter did not

¹ 2001 (3) ALD 600

dispute the aforesaid factum and in those circumstances, the writ petition was allowed.

Today also the learned Government Advocate has not disputed the judgment delivered in the case of **Hyderabad Potteries Pvt. Ltd.** (supra).

Therefore, as it was a consent order based upon the earlier order passed by this Court, this Court does not find any reason to interfere with the order passed by the learned Single Judge.

The writ appeal is accordingly dismissed.

The miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

SD/-K.SRINIVASA RAO
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
2. One CC to Sri Pramod Singh, Advocate [OPUC]
3. Two CD Copies
4. One Spare Copy

CHR
SB

HIGH COURT

DATED:24/03/2022

JDUGMENT

W.A.No.1290 of 2018



**DISMISSING THE WRIT APPEAL
WITHOUT COSTS**