

**HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**THURSDAY, THE THIRTY FIRST DAY OF MARCH  
TWO THOUSAND AND TWENTY TWO**

**PRESENT**

**THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA  
AND**

**THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT APPEAL NO: 1604 OF 2017**

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 29-08-2016 passed in WP No.21401 of 2012 on the file of the High Court.

**Between:**

S.KARUNAKAR REDDY, S/o.Shankar Reddy, Aged about 43 years, Occ: Business in Flesy Canteen, OP Block, Osmania General Hospital, Hyderabad.

**...APPELLANT**

**AND**

The Superintendent, Osmania General Hospital, Afzalgunj, Hyderabad.

**...RESPONDENT**

**I.A. NO: 1 OF 2017(WAMP. NO: 2977 OF 2017)**

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 dt.29-08-2016 passed in W.P.No.21401 of 2012 in the interest of justice, pending disposal of the main writ appeal.

**I.A. NO: 3 OF 2017(WAMP. NO: 2979 OF 2017)**

**Between:**

S.KARUNAKAR REDDY, S/o.Shankar Reddy, Aged about 43 years, Occ: Business in Flesy Canteen, OP Block, Osmania General Hospital, Hyderabad.

**...PETITIONER/APPELLANT**

**AND**

1. The Superintendent, Osmania General Hospital, Afzalgunj, Hyderabad.

**...RESPONDENT/RESPONDENT**

2. The Commissioner of Police, Basheerbagh, Hyderabad.

3. The Deputy Commissioner of Police, East Zone, Hyderabad.
4. The Assistant Commissioner of Police, Sultan Bazar Division, Hyderabad.
5. The Station House Officer, Afzalgunj Police Station, Afzalgunj, Hyderabad.

**....PROPOSED IMPLEAD RESPONDENTS**

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 implead the Proposed Respondents as Respondent Nos.2 to 5 in the instant Writ Appeal in the interest of justice, pending disposal of the main writ appeal.

**Counsel for the Appellant : SRI.K.JAMALI**

**Counsel for the Respondents : GP FOR MEDICAL HEALTH AND FAMILY WELFARE**

**The Court made the following judgment**

**THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA**

**AND**

**THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT APPEAL No.1604 of 2017**

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

The present writ appeal is arising out of an order dated 29.08.2016 passed by the learned Single Judge in W.P.No.21401 of 2012.

The facts of the case reveal that the writ petition was preferred before this Court by the appellant/writ petitioner being aggrieved by the action of the Superintendent, Osmania General Hospital, in issuing a bill for Rs.3,20,220/- towards enhanced rent in respect of the premises which was given to the appellant/writ petitioner for running a canteen in the hospital premises. The appellant/writ petitioner has disputed the bill amount and came up before this Court. However, this Court in paragraph 8 of the order has held as under:-

"8. This Court is in agreement with the last submission of the learned counsel for the petitioner. Having regard to the above submission, the Superintendent is directed to examine the legality and authority of allotment, term of lease etc. in favour of petitioner, allotment of spaces in Osmania Hospital and a proper decision is taken to prevent misutilisation of expected revenues to hospital. To ensure equality before law, after initiating action against the petitioner, the Superintendent/respondent initiates similar action against the allottees, who have been allotted space without definite terms and conditions in the premises of Osmania General Hospital. The spaces, after determination of existing agreements, are re-allotted on auction. The said exercise shall be completed within six (6) weeks from the date of receipt of copy of this order."

Meaning thereby, the matter was remanded back to the Osmania General Hospital to take appropriate action in accordance with law. The hospital was also directed to ensure similar action against all persons who were allotted spaces. The order was passed in the year 2016 and it is only a remand order and no liability was finalised in respect of the appellant/writ petitioner. 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/-B.S.CHIRANJEEVI  
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Two CCs to GP FOR MEDICAL HEALTH AND FAMILY WELFARE, High Court for the State of Telangana at Hyderabad. [OUT]
2. One CC to SRI.K.JAMALI, Advocate [OPUC]
3. Two CD Copies
4. One spare copy

S.A  
MMA

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HIGH COURT

DATED:31/03/2022



JUDGMENT

WA.No.1604 of 2017

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