

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

THURSDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 14097 OF 2016

Between:

Praveen Kumar Bansal, S/o. Sri Om Prakash Bansal, aged about 46 years,
Occ Business, R/o EWS-262, Road No. 2, KPHB Colony, Kukatpally,
Hyderabad-72.

...PETITIONER

AND

1. Principal Secretary, Registration Revenue Department Telangana-cum-Appellate Authority, (under the Chit Fund Act), Secretariat, Hyderabad.
2. M/s. Margadarsi Chit Fund Private Limited, (Formerly known as Margadarsi Chit Fund Limited) Kukatpally Branch, Rep. by its Foreman/Branch Manager

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Certiorari by calling for the records from the 1st Respondent with respect the Memo No. 16753/Regn-II/2015-1 and consequently set aside the order dated 23-9-2015 passed by the 1st Respondent in Memo No. 16753/Regn-II/2015-1, and declare the same as Null and void and direct the 1st Respondent to provide an opportunity to the Petitioner for personal hearing and to dispose of the said. Appeal as per law, in the interest of justice

I.A. NO: 1 OF 2016(WPMP. NO: 17583 OF 2016)

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 stay the exertion of the Award passed in Dispute No. 151 of 2013 on the file of the Hon'ble Deputy Registrar of Chits, Arbitrator, Ranga Reddy District (West), pending disposal of the present Writ Petition, in the interest of justice

Counsel for the Petitioner: SRI. PAWAN KUMAR AGARWAL

Counsel for the Respondent No.1: AGP FOR STAMPS AND REGISTRATION

Counsel for the Respondent No.2: ---

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SARATH

WRIT PETITION No.14097 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Stamps and Registration and perused the material on record.

2. Learned counsel for the petitioner submits that this writ petition is filed by the petitioner seeking calling for the records from the respondent No.1 with respect of Memo No.16753/Regn-II/2015-1, dated 23.09.2015 and consequently, set aside the said order dated 23.09.2015 passed by the respondent No.1 in Memo No.16753/Regn-II/2015-1 and declare the same as null and void and direct the respondent No.1 to provide an opportunity to the petitioner for personal hearing.

3. After hearing both sides and perusing the material on record, this Court is of the considered view that the petitioner filed an Appeal under Section 70 of the A.P. Chit Fund Act, 1982 before the respondent No.1 along with the

petition for the condonation of the delay in filing of the said Appeal *vide* Memo No.16753/Regn-II/2015-1, dated 23.09.2015 questioning the arbitration award passed by the Deputy Registrar of Chits, Arbitrator, Ranga Reddy District (West) in Dispute No.151 of 2013, dated 25.02.2015. The respondent No.1 without issuing notice to the petitioner and without hearing the petitioner, has rejected the delay petition of the petitioner and the same is arbitrary and illegal. Before passing any orders on the application filed by the petitioner, the respondent No.1 being a quasi judicial authority has to give opportunity to the petitioner or his counsel for hearing. Without following the said procedure, the impugned orders passed by the respondent No.1 and the same is arbitrary and illegal and the same has to be liable to be set aside. The respondent No.2 has to issue notice to the petitioner. After hearing the petitioner or his counsel, the respondent has to pass appropriate orders.

4. In view of the above findings, the writ petition is disposed of by setting aside the Memo No.16753/Regn-II/2015-1 and remand the matter to the respondent No.1 for fresh hearing by giving opportunity to the petitioner as well as the respondent No.2. Further, the petitioner is directed to represent the appeal within four (4) weeks from the date of receipt of copy of this order. After representing the said appeal, the respondent No.1 is directed to pass appropriate orders on the condone delay petition filed by the petitioner.

5. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

SD/-A. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Registration Revenue Department Telangana-cum-Appellate Authority, (under the Chit Fund Act), Secretariat, Hyderabad.
2. One CC to SRI. PAWAN KUMAR AGARWAL Advocate [OPUC]
3. Two CCs to GP for Stamps and Registrations, High Court for the State of Telangana at Hyderabad. [OUT]
4. Two CD Copies

KKS
BS



HIGH COURT

DATED:10/04/2025



ORDER

WP.No.14097 of 2016

**DISPOSING THE WRIT PETITION
WITHOUT COSTS**

Em.T
16/6/25