

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
 MONDAY, THE FOURTH DAY OF JULY TWO THOUSAND AND TWENTY TWO
 :PRESENT:

THE HONOURABLE THE CHIEF JUSTICE UJJAL BHUYAN
 AND
 THE HONOURABLE MRS JUSTICE SUREPALLI NANDA
 WRIT APPEAL NO: 397 OF 2022

Between:

Saranga Krishna Murthy, S/o. Late Laxmi Narayana

...Appellant

AND

1. Greater Hyderabad Municipal Corporation, Represented by its Commissioner, Office at Municipal Complex, Lower Tank Bund, Hyderabad.
2. The Assistant City Planner, Greater Hyderabad Municipal Corporation of Hyderabad, Circle No.V, Sardar Mahal, Charminar, Hyderabad.
3. Sanjay Kumar Bhati, S/o. Ram Vallab Bhati, R/o. H.No.15-6-214, Begum Bazar, Hyderabad.
4. Ajay Kumar Bhati, S/o. Ram Vallab Bhati, R/o. H.No.15-6-214, Begum Bazar, Hyderabad.
5. Hastimal Bhati, S/o. Ram Vallab Bhati, R/o. H.No.15-6-214, Begum Bazar, Hyderabad.

...Respondents

Writ Appeal under Clause 15 of the Letter Patent Act, praying that in the circumstances stated in the grounds filed herein, the High Court may be pleased to set aside the order dated: 09-06-2022 in WP.No.28851 of 2013 to allow the writ appeal.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents not to demolition the structures of Petitioner in respect of shop bearing No.15-6-220, admeasuring 412 sq.feet situated at Begum Bazar, Hyderabad, pending disposal of WA.No.397 of 2022, on the file of the High Court.

IA NO: 2 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all further proceedings in pursuant of the notice under Section 456 of HMC Act vide Notice No.220 dated: 27-09-2013, and Lr.No.214-220/6/15/TPS/C-14/KZ/GHMC/2022 dated: 17-06-2022, pending disposal of WA.No.397 of 2022, on the file of the High Court.

The appeal coming on for hearing, upon perusing the Appeal and the grounds filed in support thereof and the order of the High Court order dated: 20.06.2022 made herein, and upon hearing the arguments of M/s. VIVEK JAIN Advocate for the Appellant, Mr. N.Ashok Kumar Advocate for the Respondent Nos.1 and 2 and Mr. Pramod Singh, Advocate for the Respondent Nos.3 to 5, the Court made the following.

ORDER:

Heard Mr. Vivek Jain, learned counsel for the appellant; Mr. N.Ashok Kumar, learned counsel for respondents No.1 and 2; and Mr. Pramod Singh, learned counsel for respondents No.3, 4 and 5.

Having regard to our order dated 20.06.2022, and on perusal of the materials on record, we are of the view that it would be appropriate to appoint an Advocate-Commissioner for inspection of the subject building and for submission of report for consideration of the Court.

Considering the above, we appoint Ms. K.Mamata Choudhary, a counsel of this Court, as Advocate Commissioner.

Court Officer to furnish a complete set of appeal papers to learned Advocate-Commissioner, who shall physically inspect the subject building and thereafter, submit report before this Court by 19.07.2022.

The fees of learned Advocate Commissioner is fixed at Rs.50,000/- (Rupees fifty thousand only) to be paid by the appellant.

Till 19.07.2022, status quo order passed on 20.06.2022 shall continue.

List on 19.07.2022 to be taken up at 3.30 p.m.

//TRUE COPY//

SD/- K. SHYLESI
DEPUTY REGISTRAR


SECTION OFFICER

To,

1. The Commissioner, Greater Hyderabad Municipal Corporation, Office at Municipal Complex, Lower Tank Bund, Hyderabad.
2. The Assistant City Planner, Greater Hyderabad Municipal Corporation of Hyderabad, Circle No.V, Sardar Mahal, Charminar, Hyderabad.
3. Sanjay Kumar Bhati, S/o. Ram Vallab Bhati, R/o. H.No.15-6-214, Begum Bazar, Hyderabad.
4. Ajay Kumar Bhati, S/o. Ram Vallab Bhati, R/o. H.No.15-6-214, Begum Bazar, Hyderabad.

5. Hastimal Bhati, S/o. Ram Vallab Bhati, R/o. H.No.15-6-214, Begum Bazar, Hyderabad.
6. Ms. K.Mamata Choudhary, Advocate, High Court Advocates' Association, High Court Buildings, Hyderabad. (BY SPL. MESSENGER along with all material papers)
7. One CC to Sri N. Ashok Kumar, Standing Counsel (OPUC)
8. One CC to Sri Pramod Singh, Advocate (OPUC)
9. One CC to M/s. VIVEK JAIN, Advocate [OPUC].
10. Two spare copies

HIGH COURT

HCJ & SNJ

DATED:04/07/2022

LIST ON 19.07.2022 TO BE TAKEN UP AT 3.30 P.M.

ORDER

WA.No.397 of 2022



EXTENSION OF STATUS QUO