

ITEM NO.15

COURT NO.13

SECTION XII-A

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No(s). 11816/2023

(Arising out of impugned final judgment and order dated 03-02-2023 in WA No. 157/2023 passed by the High Court For The State Of Telangana At Hyderabad)

I. VENKATA SITA DEVI &amp; ORS.

Petitioner(s)

VERSUS

M/S AKSHARA CONSTRUCTIONS &amp; ORS.

Respondent(s)

(IA No.111047/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 17-07-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI  
 HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. A.D.N. Rao, Sr. Adv.  
 Mr. Annam Venkatesh, AOR  
 Mr. Rahul Mishra, Adv.  
 Mr. Dhuli Shiva Shankar, Adv.  
 Ms. Agrimaa Singh, Adv.  
 Ms. Ritumbhara Garg, Adv.

For Respondent(s) Mr. Yatinder Singh, Sr. Adv.  
 Mr. Anand Sanjay M. Nuli, Adv.  
 Mr. Pottigari Sridhar Reddy, Adv.  
 Mr. Amancharla V. Gopal Rao, Adv.  
 Ms. Akhila Wali, Adv.  
 For M/S. Nuli & Nuli, AOR

UPON hearing the counsel the Court made the following  
 O R D E R

This petition has arisen out of the Judgment and Order dated 03.02.2023 passed by the High Court for the State of Telangana at Hyderabad in Writ Appeal No. 157 of 2023, by which the order passed by the learned Single Judge on 27.12.2022 disposing of Writ Petition No. 46153 of 2022 directing Respondent Nos. 6 to 8 to decide the objections afresh, has been set aside, making certain

observations.

After hearing learned senior counsel appearing for the parties and considering the texture of the provisions as contained under Section 22 of the Hyderabad Metropolitan Development Authority Act, 2008 and further observations made in Para 19 and other paragraphs and also in concluding paras 23 and 24, we are not going to approve those observations. The remaining part of the order shall remain intact.

However, it is open to the petitioners to apply to the civil court for the amendment in the suit and to ask for appropriate reliefs which shall be considered in accordance with law by the court, before which the suit is pending.

Needless to say, the trial court shall consider the averments and evidence led by the parties on its own merits.

In view of above, the Special Leave Petition is disposed of.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)  
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)  
BRANCH OFFICER