

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

**TUESDAY, THE TWENTY SEVENTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE THE CHIEF JUSTICE ALOK ARADHE  
AND  
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO**

**WRIT APPEAL NO: 980 OF 2024**

Writ Appeal under clause 15 of the Letters Patent against the Order dated 07/08/2024 in W. P. No. 21438 of 2024. on the file of the High Court.

**Between:**

1. Anita Agarwal, W/o Ram Swaroop Agarwal Aged about 60 years, Occ Housewife, R/o H.No. 14721 and 14721/1, Begum bazar, Hyderabad, Telangana
2. Ram Swaroop Agarwal, S/o Late Ram Das Agarwal Aged about 60 years, Occ Business, R/o H.No. 14721 and 14721/1, Begum Bazar, Hyderabad

**...APPELLANTS**

**AND**

1. The State of Telangana, Rep by Principal Secretary. Municipal Administration and Urban Development, Secretariat, Hyderabad, Telangana
2. The Greater Hyderabad Municipal corporation, Represented by its commissioner, Tankbund, Hyderabad
3. The Zonal Commissioner, The Greater Hyderabad Municipal corporation Khairtabad, Hyderabad
4. Deputy Commissioner, Greater Hyderabad Municipal Corporation Circle 14, Goshamahal, KZ, GHMC Hyderabad
5. Paritosh H Kapadia, S/o Unknown, Aged Major, Occ Unknown, C/o Atul Patodi S/o Late Babulal Patodi Aged about 60, Occ. Business R/o H.no. 14-7-22, Begumbazar, Hyderabad 500012

**...RESPONDENTS**

**IA NO: 1 OF 2024**

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 Proceedings of the respondents bearing no. 1/21//21/7/14/TPS/C-14/KZ/GHMC/2024, Dated 18.07.2024 in directing the Appellant/ Apellant/

petitioners to remove the shed in premises bearing no. 14-7-21 and 14-7-21/1  
Begumbazar, Hyderabad.

**Counsel for the Appellant : SRI J.C.FRANCIS**

**Counsel for the Respondent No.1 : GP FOR MCPL ADMN URBAN DEV**

**Counsel for the Respondent No.2to4 : SRI K.SIDDHARTH RAO, SC FOR GHMC**

**The Court made the following: JUDGMENT**

**THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE**

**AND**

**THE HON'BLE SRI JUSTICE J.SREENIVAS RAO**

**WRIT APPEAL No.980 of 2024**

**JUDGMENT:** *(Per the Hon'ble the Chief Justice Alok Aradhe)*

Mr. J.C.Francis, learned counsel for the appellants.

Mr. K.Siddharth Rao, learned Standing Counsel for Greater Hyderabad Municipal Corporation (GHMC) for respondent Nos.2, 3 and 4.

2. In this intra court appeal, the appellants have assailed the validity of the order dated 07.08.2024 passed by learned Single Judge in W.P.No.21438 of 2024, by which the writ petition preferred by the appellants was dismissed on the ground that the appellants are guilty of suppression of facts in as much as the appellants did not disclose the fact that prior to passing of the speaking order dated 18.07.2024, the appellants were served with a notice.

3. Learned counsel for the appellants submits that the appellants on the date of passing of the order dated 18.07.2024 were not aware about the show cause notice dated 23.03.2024 as the show cause notice was received fraudulently in concern with the authorities by respondent No.5.

4. In view of the aforesaid submission, in the peculiar facts of the case, in our considered opinion, the appropriate remedy for the appellants is to seek review of the order dated 07.08.2024 passed by the learned Single Judge in W.P.No.21438 of 2024.

5. Accordingly, the Writ Appeal is disposed of with the liberty to the appellants to seek remedy of review of the order dated 07.08.2024 passed by the learned Single Judge in W.P.No.21438 of 2024. The certified copy of the order dated 07.08.2024 passed by the learned Single Judge in W.P.No.21438 of 2024 be returned to learned counsel for the appellants on substitution thereof by a photocopy.

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

SD/- M. MANJULA  
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

- To,
1. The Principal Secretary, Municipal Administration and Urban Development, Secretariat, Hyderabad, State of Telangana, Telangana
  2. The commissioner, Greater Hyderabad Municipal corporation, Tankbund, Hyderabad
  3. The Zonal Commissioner, The Greater Hyderabad Municipal corporation Khairtabad, Hyderabad
  4. The Deputy Commissioner, Greater Hyderabad Munciple Corporatrn Circle 14, Goshamahal, KZ, GHMC Hyderabad
  5. One CC to SRI J.C.FRANCIS, Advocate. [OPUC]
  6. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana. [OUT]
  7. One CC to SRI K.SIDDHARTH RAO, SC FOR GHMC. [OPUC]
  8. Two CD Copies.

BSR

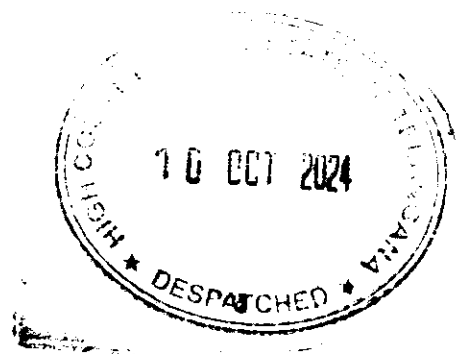
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**HIGH COURT**

**DATED: 27/08/2024**

**JUDGMENT**

**WA.No.980 of 2024**



**DISPOSING OF THE WRIT APPEAL  
WITHOUT COSTS**

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28/9/24*