

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

TUESDAY, THE TWENTY FOURTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

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

**WRIT APPEAL NO: 1117 OF 2024**

Writ Appeal under clause 15 of the Letters Patent Appeal Preferred Against the Order Dated 05/08/2024 in W.P.No31739 OF 2023 on the file of the High Court.

**Between:**

M/s V K A Constructions, H. No. 11-13-1056/2, Plot No. 273, Road No. 9, Vasavi Colony, R K Puram, Hyderabad, Telangana 500 102 A Registered partnership firm, Rep. by its Managing Partner K R Kaushal Karan

**...APPELLANT**

**AND**

1. The State of Telangana, Represented by its Principal Secretary, Panchayat Raj and Rural Development Department, Telangana Secretariat, Hyderabad
2. The State of Telangana, Represented by its Principal Secretary, Roads and Buildings Department, Telangana Secretariat, Hyderabad
3. The State of Telangana, Represented by its Principal Secretary, Irrigation and CAD Department, Telangana Secretariat, Hyderabad.
4. The Committee of Engineers-In-Chief and the Commissioner, Commissionerate of Tenders, with Engineer-in-Chief (AW), Irrigation and CAD as its Convener, Ground Water Dept. Building, Chintal Basti, Hyderabad.
5. The Commissioner, Engineer-In-Chief, Irrigation and CAD Department Commissionerate Of Tenders, Ground Water Dept. Building, Chintal Basti, Hyderabad
6. The Engineer-in-Chief (Admn), Irrigation and CAD Department, Jalasoudha Building, Errum Manzil, Hyderabad -500 082.
7. The Engineer-in-Chief (Panchayat Raj), SRTGN Bhavan, Erramanzil Colony, Hyderabad - 500 082.
8. The Engineer-in-Chief (Roads and Buildings), NH, CRF and Bldgs, Errum Manzil, Hyderabad -500 082.

**...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 operation of the Common Order passed by the Learned Single Judge on 05-08-2024, received by the Petitioner on 27-08-2024, to the extent of its applicability to the Writ Petition No. 31739 of 2023 until the disposal of the main Writ Appeal.

**Counsel for the Appellant: SRI. K.R. KAUSHAL KARAN, PARTY IN PERSON**

**Counsel for the Respondent No.1: GP FOR PANCHAYAT  
RAJ RURAL DEVELOPMENT**

**Counsel for the Respondent Nos. 3to6: Ms. SHANTHI NEELAM,  
GP FOR IRRIGATION AND CAD DEPARTMENT**

**Counsel for the Respondent Nos. 2&8: SRI M. VIGNESWAR REDDY,  
GP FOR ROADS AND BUILDINGS**

**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.1117 of 2024**

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

Mr. K.R.Kaushal Karan, party-in-person.

Ms. Shazia Parveen, learned Government Pleader for Panchayat Raj and Rural Development Department for respondent No.1.

Mr. M.Vigneswar Reddy, learned Government Pleader for Roads and Buildings Department for respondent Nos.2 and 8.

Ms. Shanthi Neelam, learned Government Pleader for Irrigation and Command Area Development Department for respondent Nos.3 to 6.

2. Heard on the question of admission.

3. In this intra court appeal, the appellant has challenged the validity of the order dated 05.08.2024

passed by the learned Single Judge in W.P.No.31739 of 2023.

4. Facts giving rise to filing of this appeal briefly stated are that appellant was registered as civil contractor with the erstwhile Government of Andhra Pradesh for more than three decades. The registration of the firm as civil contractor was renewed in terms of G.O.Ms.No.94, I & CAD (PW-COD) Department dated 01.07.2003 by the Principal Secretary, Roads and Buildings Department, Hyderabad for a period of five years from 02.08.2018 *vide* proceeding dated 22.11.2018.

5. The registration of the appellant was due to expire on 01.08.2023. Thereupon the appellant filed an application for renewal of the registration on 21.06.2023. The name of the appellant was removed by the Engineer-in-Chief by an order dated 11.09.2023. The application submitted by the appellant was rejected by an order dated 16.10.2023. The appellant challenged the order dated 11.09.2023 in W.P.No.31739 of 2023. The appellant challenged the validity of order dated 16.10.2023 in

W.P.No.30176 of 2023. W.P.No.30176 of 2023 along with W.P.Nos.31739 of 2023 and 13047 of 2024 was dismissed by a common order dated 05.08.2024 by the learned Single Judge. The appellant has questioned by way of present intra court appeal the common order dated 05.08.2024 passed in W.P.No.31739 of 2023 only.

6. A suggestion was made to party-in-person that this Court can make available the services of an Advocate to assist the party-in-person. Thereupon party-in-person declined the assistance of the counsel and said that he has the right to address the Court.

7. Party-in-person submitted that a Committee headed by Engineer-in-Chief is the competent authority to remove the name of the appellant. However, the order dated 11.09.2023 was passed by the Engineer-in-Chief alone who is not a competent authority to direct removal of the name of the appellant. It is further submitted that the aforesaid order was suspended by an interim order dated 03.01.2024 passed in W.P.No.31739 of 2023 and the learned Single Judge ought to have confirmed the aforesaid

interim order in the absence of any counter from the respondents. Party-in-person further submitted that there is no discussion about the interim order passed in the final order. It is therefore submitted that impugned order be set aside.

8. We have considered the submission made by party-in-person and has perused the record.

9. Admittedly, the registration of the appellant expired on 01.08.2023. Before expiry of the term, the appellant made an application on 21.06.2023 seeking renewal of the registration. The aforesaid application was rejected on 16.10.2023. The order rejecting the renewal of registration dated 16.10.2023 was subject matter of challenge in W.P.No.30176 of 2023 which has also been dismissed by the learned Single Judge by common order dated 05.08.2024. It is pertinent to note that at this point of time, the appellant has not assailed the validity of the order dated 05.08.2024 passed by learned Single Judge in W.P.No.30176 of 2023.

10. Since the registration of the firm itself had expired on 01.08.2023, the same was not renewed upto 11.09.2023. Therefore, the respondents were justified in directing the removal of the name of the appellant from the approved list of contracts. It is trite law that life of an interim order is coterminous with the main proceeding and non-mentioning of an interim order in the final order does not affect the validity of the final order passed in a proceeding. The impugned order does not suffer from any infirmity warranting interference of this Court in exercise of powers under Clause 15 of the Letter Patent.

11. In the result, the Writ Appeal fails and is hereby dismissed.

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

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SD/- K. SAILESHI  
DEPUTY REGISTRAR

SECTION OFFICER

- To,
1. One CC to SRI. K.R. KAUSHAL KARAN, PARTY IN PERSON [OPUC]
  2. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEVELOPMENT, High Court for the State of Telangana at Hyderabad [OUT]
  3. Two CCs to GP FOR ROADS AND BUILDINGS High Court for the State of Telangana, at Hyderabad [OUT]
  4. Two CCs to GP FOR IRRIGATION AND CAD DEVELOPMENT High Court for the State of Telangana, at Hyderabad [OUT]
  5. Two CD Copies

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G.J.P.

K.P.

**HIGH COURT**

**DATED:24/09/2024**

**JUDGMENT**

**WA.No.1117 of 2024**



**DISMISSING THE WRIT APPEAL WITHOUT COSTS**

*2 copies*  
*[Signature]*  
*4/10/24.*