

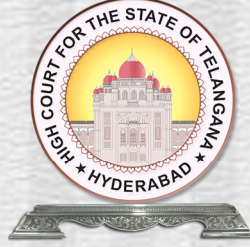
**HIGH COURT FOR THE STATE OF TELANGANA**

# e-Newsletter

**Volume V – Issue 3**

**(July 2023 – Sep 2023)**





**HON'BLE THE CHIEF JUSTICE**

**HONOURABLE THE CHIEF JUSTICE ALOK ARADHE**

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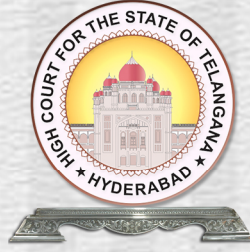
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## *FOREWORD*

*State Judiciary has welcomed Hon'ble Sri Justice Alok Aradhe as Chief Justice and Hon'ble Sri Justice P. Sam Koshy as Senior Judge along with 3 other Hon'ble Judges namely, Hon'ble Sri Justice Laxmi Narayana Alishetty, Hon'ble Sri Justice Anil Kumar Jukanti & Hon'ble Smt Justice Sujana Kalasikam on board to the Telangana High Court. The High Court bid a farewell to Hon'ble Sri Justice Ujjal Bhuyan on his Lordship's elevation to Hon'ble Supreme Court and also to Hon'ble Smt Justice Lalitha kanneganti on her Lordship's transfer to Karnataka High Court.*

*During this quarter Hon'ble Sri Justice P. Naveen Rao delivered first ever verdict in Telugu for the benefit of the local litigants, and during the month the High Court bid a farewell to his Lordship on demitting office on attaining the age of superannuation.*

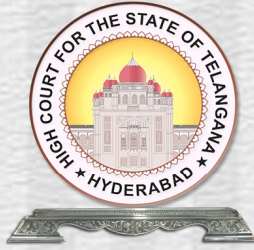
*The Hon'ble the Chief Justice Alok Aradhe has delivered a keynote address on 'Emerging best practices in the use of experts to increase their value proposition in arbitration' at International Arbitration and Mediation Centre (IAMC) Hyderabad.*

*Hon'ble the Chief Justice Alok Aradhe truly believes the words of Dr. APJ Abdul Kalam, Former President of India, who said;*

*"From the time the case is registered, till it is disposed of with Judgment, the entire processing must take place electronically."*

*With these words as inspiration his Lordship has initiated Live Streaming of 29 courts and within two weeks Court Proceedings of all the Courts of Telangana High Court have been shifted to Hybrid Mode, during this quarter.*

*Honourable Smt. Justice Maturi Girija Priyadarsini*



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**HON'BLE JUDGES OF THE HIGH COURT**

**HON'BLE THE CHIEF  
JUSTICE**



**Hon'ble Sri Justice  
Alok Aradhe**



**Hon'ble Sri Justice  
Ponugoti Naveen Rao**



**Hon'ble Sri Justice  
P. Sam koshy**



**Hon'ble Sri Justice  
Abhinand Kumar Shavili**



**Hon'ble Sri Justice  
T. Vinod Kumar**



**Hon'ble Sri Justice  
K.Lakshman**



**Hon'ble Sri Justice  
B.Vijaysen Reddy**



**Hon'ble Smt. Justice  
Lalitha Kanneganti**



**Hon'ble Smt. Justice  
P. Sree Sudha**



**Hon'ble Dr. Justice  
Chillakur Sumalatha**



**Hon'ble Dr. Justice  
G. Radha Rani**



**Hon'ble Sri Justice  
M. Laxman**



**Hon'ble Sri Justice  
N. Tukaramji**



**Hon'ble Smt. Justice  
P. Madhavi Devi**



**Hon'ble Sri Justice  
K. Surender**



**Hon'ble Mrs. Justice  
Surepalli Nanda**



**Hon'ble Sri Justice  
Mummineni Sudheer  
Kumar**



**Hon'ble Smt. Justice  
Juvvadi Sridevi**



**Hon'ble Sri Justice  
Natcharaju Shraavan Kumar  
Venkat**



**Hon'ble Smt. Justice  
Gunnu Anupama  
Chakravarthy**



**Hon'ble Smt. Justice  
Maturi Girija Priyadarsini**



**Hon'ble Sri Justice  
Sambasivarao Naidu**



**Hon'ble Sri Justice  
Chada Vijaya Bhaskar  
Reddy**



**Hon'ble Sri Justice  
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Pulla Karthik**



**Hon'ble Sri Justice  
J Sreenivas Rao**



**Hon'ble Sri Justice  
K.Sarath**



**Hon'ble Sri Justice  
Namavarapu Rajeshwar  
Rao**



**Hon'ble Sri Justice Laxmi  
Narayana Alishetty**



**Hon'ble Sri Justice  
Anil Kumar Jukanti**



**Hon'ble Smt Justice  
Sujana Kalasikam**





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Registrar (O.S.D.)



## EVENTS OF THE HIGH COURT

**Farewell to the Hon'ble the Chief Justice on 13-07-2023**



The High Court for the State of Telangana bid farewell to Hon'ble Sri Justice Ujjal Bhuyan, the Chief Justice of The High Court for the State of Telangana on the eve of his lordship's elevation to the Hon'ble Supreme Court of India on 13-07-2023



## Sworn in Ceremony of the Hon'ble the Chief Justice on 19-07-2023



The Hon'ble Sri Justice Alok Aradhe was sworn in as the Chief Justice of Telangana High Court on Tuesday in a ceremony held at Raj Bhavan on 19-07-2023. Her Excellency Smt. Tamilisai Soundararajan, the Governor of the State of Telangana administered the oath of office to the Hon'ble Justice Alok Aradhe. The Hon'ble Chief Minister K Chandrashekar Rao and some of his cabinet colleagues and senior officials were present on the occasion.



## National Flag hoisting on the eve of Independence Day celebration 15-08-2023



The Hon'ble Sri Justice Alok Aradhe, the Chief Justice, High Court for the State of Telangana hoisted the National Flag on the eve of the 77<sup>th</sup> Independence Day celebration in the premises of the High court in the august presence of all the Hon'ble High Court Judges and others.



## Swearing in ceremony of the Hon'ble Judges



Hon'ble Sri Justice P. Sam Koshy sworn in as the Judge to the High Court for the State of Telangana on 27-07-2023, by the Hon'ble Sri Justice Alok Aradhe, the Chief Justice, High Court for the State of Telangana.



Hon'ble Sri Justice Laxmi Narayana Alishetty sworn in as the Judge to the High Court for the State of Telangana on 31-07-2023, by the Hon'ble Sri Justice Alok Aradhe, the Chief Justice, High Court for the State of Telangana.





Hon'ble Sri Justice Anil Kumar Jukanti sworn in as the Judge to the High Court for the State of Telangana on 31-07-2023, by the Hon'ble Sri Justice Alok Aradhe, the Chief Justice, High Court for the State of Telangana.



Hon'ble Smt Justice Sujana Kalasikam sworn in as the Judge to the High Court for the State of Telangana on 31-07-2023, by the Hon'ble Sri Justice Alok Aradhe, the Chief Justice, High Court for the State of Telangana.



## Farewell to the Hon'ble Judges of the High Court for the State of Telangana



The High Court for the State of Telangana bid farewell to the Hon'ble Sri Justice P. Naveen Rao, the Acting Chief Justice, High Court for the State of Telangana, on the eve of his Lordship's retirement on 14-07-2023.



The High Court for the State of Telangana bid farewell to the Hon'ble Smt. Justice Lalitha kanneganti on the eve of her Lordship's transfer as the Judge of the High Court of Karnataka on 28-07-2023



## Hybrid Mode of Court Proceedings of High Court for the State of Telangana

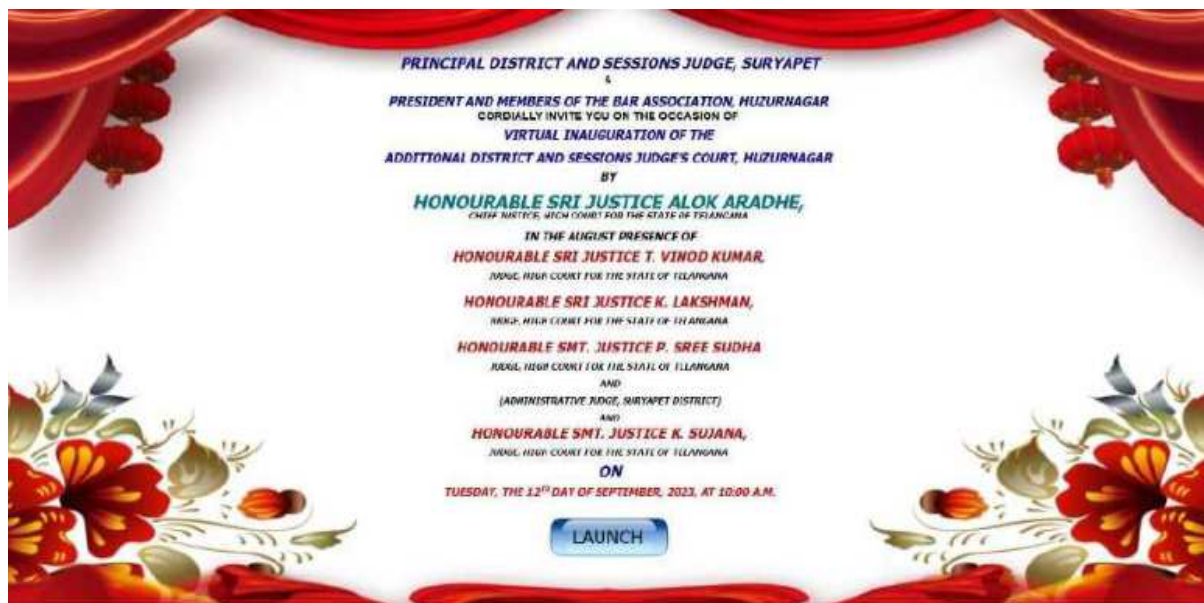


The High Court for the State of Telangana made the Hybrid mode of conducting the proceedings of all Court Halls of this High Court for the State of Telangana from 1<sup>st</sup> September, 2023. In this regard, the High Court is also publishing its causelist with the CISCO Webex links to join the Court Halls proceedings through Virtual Mode and also made available the links on the official website (<https://tshc.gov.in>). The High Court for the State of Telangana officially declared that the Stakeholders can avail the Hybrid Mode from 01.09.2023 onwards and successfully proceedings are conducting in Hybrid mode.





## Virtual Inauguration of New Courts at High Court of Telangana



Virtual Inauguration of New Courts at High Court of Telangana The Hon'ble the Chief Justice Sri Alok Aradhe, High Court for the State of Telangana in the august presence of Hon'ble Sri Justice T.Vinod Kumar, Hon'ble Sri Justice K.Lakshman, Hon'ble Smt. Justice P.Sree Sudha and Hon'ble Smt. Justice K.Sujana virtually inaugurated the Additional District and Sessions Judge's Court, Huzurnagar on 12.09.2023.



## Inauguration of e-sewa Kendra in the premises of the High Court



The Hon'ble Sri Justice Alok Aradhe, the Chief Justice, High Court for the State of Telangana inaugurated e-sewa Kendra in the premises of the High Court for the benefit of advocates and litigants. e-sewa Kendra provide services like handling inquiries about case status information, handling queries about judges on leave, facilitate online application for certified copies, facilitate eFiling of petition, facilitating the booking of eMulakat appointment for meeting relatives in jail, to assist in online payments, payment of fine for online traffic challans, etc.





## SOME OF THE IMPORTANT JUDGMENTS DELIVERED BY THE HON'BLE JUDGES OF THIS HIGH COURT

### HON'BLE THE CHIEF JUSTICE

**Acts/Rules/Case Law:** Telangana Medical & Dental Colleges Admission (Admission into MBBS & BDS Courses) Rules, 2017 & Andhra Pradesh Reorganization Act.

**Case Details:** Prashansa Rathod, and others Vs The State of Telangana, Rep. by its Principal Secretary, Medical and Health Services Department, Secretariat, Hyderabad, and another in WP 21268 of 2023 and batch ([Click here for full Judgment](#))

**Date of Judgment:** 29.08.2023

**Facts:** In this batch of writ petitions, the issue with regard to validity of Rule 3(III)(B) of the Telangana Medical & Dental Colleges Admission (Admission into MBBS & BDS Courses) Rules, 2017 (hereafter referred to as '2017 Rules') arises for consideration. In view of the commonality of the issue, the writ petitions were heard analogously and are being decided by this common order.

**Held:** A Constitution Bench of Hon'ble Supreme Court in Delhi Transport Corporation v. D.T.C. Mazdoor Congress(1991 Supp (1) SCC 600), in paragraph 218 held as under:

*218. On a proper consideration of the cases cited hereinbefore as well as the observations of Seervai in his book Constitutional Law of India and also the meaning that has been given in the Australian Federal Constitutional Law by Colin Howard, it is clear and apparent that where any term has been used in the Act which per se seems to be without jurisdiction but can be read down in order to make it constitutionally valid by separating and excluding the part which is invalid or by interpreting the word in such a fashion in order to make it constitutionally valid and within jurisdiction of the legislature which passed the said enactment by reading down the provisions of the Act (sic). This, however, does not under any circumstances mean that where the plain and literal meaning that follows from a bare reading of the provisions of the Act, Rule or Regulation that it confers arbitrary, uncanalised, unbridled, unrestricted power to terminate the services of a permanent employee without recording any reasons for the same and without adhering to the principles of natural justice and equality before the law as envisaged in Article 14 of the Constitution, cannot (sic) be read down to save the said provision from constitutional invalidity by bringing or adding words in the said legislation such as saying that it implies that reasons for the order of termination have to be recorded. In interpreting the provisions of an Act, it is not permissible where the plain language of the provision gives a clear and unambiguous meaning can be interpreted by reading down and presuming certain expressions in order to save it from*



*constitutional invalidity. Therefore, on a consideration of the above decisions, it is impossible to hold by reading down the impugned provisions of Regulation 9(b) framed under Section 53 of the Delhi Road Transport Act, 1950 read with Delhi Road Transport (Amendment) Act, 1971 that the said provision does not confer arbitrary, unguided, unrestricted and uncanalised power without any guidelines on the authority to terminate the services of an employee without conforming to the principles of natural justice and equality as envisaged in Article 14 of the Constitution of India. I am, therefore, constrained to uphold the judgment of the Delhi High Court in C.W.P. No. 1422 of 1985 and dismiss Civil Appeal No. 2876 of 1985. I allow Civil Appeal No. 1115 of 1976 and agree with the order proposed to be passed thereon by the learned Chief Justice. The other appeals as referred to in detail in the judgment of the learned Chief Justice be placed before the Division Bench of this Court to be disposed of in accordance with the observations made herein. I agree with conclusion arrived of by my learned brother K. Ramaswamy, J.*

The aforesaid decision was referred to with approval in B.R. Enterprises v. State of Uttar Pradesh (1999) 9 SCC 700. The decision in B.R. Enterprises (supra) was referred to with approval in Union of India v. Ind-Swift Laboratories ((2011) 4 SCC 635). The Hon'ble Supreme Court in Ahmedabad Municipal Corporation v. Nilaybhai R.Thakore ((1999) 8 SCC 139) reversed the decision of Gujarat High Court which struck down Rule 7 of the Rules and instead read it down.

In the light of the aforesaid well settled legal principles, we now examine whether Rule 3(III)(B) of 2017 Rules should be read down. The golden rule of interpretation is of respecting the wisdom of legislature on the ground that they are aware of the law and would never have intended for an invalid legislation. In somewhat similar fact situation, Hon'ble Supreme Court in Ahmedabad Municipal Corporation v. Nilaybhai R.Thakore ((1999) 8 SCC 139) with a view to iron out the creases in the impugned rule i.e., in Rule 7 of the Rules, interpreted the Rule in the manner indicated in paragraph 14 of the said judgment referred supra. Similar view was taken by a Division Bench of Bombay High Court in Rajiv Purshottam Wadhwa v. State of Maharashtra (2000 SCC Online Bom 359). Rule 4.4 of Maharashtra Rules was read down to include permanent residents of State of Maharashtra.

We have already held that Rule 3(III)(B) of 2017 Rules is violative of Article 14 of the Constitution of India. An interpretation which advances the object and purpose of the Act has to be preferred. The object of Rule 3(III)(C) of 2017 Rules is to provide reservation for local candidates. In case the rule is struck down then students from all over the country shall be entitled to admission in medical colleges. Therefore, instead of striking down Rule 3(III)(B) of 2017 Rules, it needs to be read down. Therefore, we



read down Rule 3(III)(B) of 2017 Rules and it is held that the aforesaid Rule shall not apply to permanent residents of the State of Telangana. Thus, by reading down the provision in the manner indicated above shall also be in consonance of object of Article 371D(2)(b)(ii) of the Constitution of India i.e., of making special provision to the people of different parts of State for admission to educational institutions. Therefore, the validity of Rule 3(III)(B) of 2017 Rules is upheld as interpreted by us. Accordingly, the issue (viii) is answered.

Before proceeding to answer issue (ix), at this stage it is apposite to deal with the submissions made on behalf of the learned counsel for the University. The Hon'ble Supreme Court in *C. Surekha v. Union of India* ((1988) 4 SCC 526) has not dealt with the validity of the Presidential Order. Therefore, the contention that the petitioners are not entitled to any relief does not deserve any acceptance. Similarly, the decision in *Meenakshi Malik v. University of Delhi* ((1989) 3 SCC 112) and *Ms. Ms. Priya Kedar Gokhale v. State of Maharashtra* (W.P.No.8539 of 2022) do not apply to the fact situation of the present cases does not deserve acceptance. The contention made by learned standing counsel for the University that the case of the petitioners does not fall under Rule 3(III)(B) of 2017 Rules deserve acceptance. Section 95 of the Andhra Pradesh Reorganization Act has no material bearing on the controversy involved in this batch of writ petitions as the same deals with quota of admission in educational institutions, whereas primary issue in this batch of petitions is with regard to the validity of Rule 3(III)(B) of 2017 Rules.

(ix) Relief to which the petitioners are entitled?

The petitioners claim themselves to be permanent residents of State of Telangana. It is, therefore, directed that in case petitioners produce Residence Certificate issued by a competent authority of Government of Telangana within a period of one week from today before the University, the petitioners shall be treated as local candidates. Needless to state that, the University shall consider the claim of the petitioners as local candidates as per their merit for admission to MBBS/BDS courses for the academic year 2023-2024.



## HON'BLE SRI JUSTICE P. SAM KOSHY

**Acts/Rules/Case Law:** Societies Registration Act & Income Tax Act

**Case Details:** M/s National Academy of Construction Vs Assistant Director of IT Exemptions in I.T.T.A.No.500 of 2006, I.T.T.A.No.555, 556 of 2013, I.T.T.A.Nos.2, 143 and 293 of 2014 ([Click here for full Judgment](#))

**Date of Judgment:** 31.08.2023.

**Facts:** The facts relevant for decision on the present appeal are that the appellants herein is a 'Society' under the Andhra Pradesh (now Telangana area) Public Societies Registration Act. The same was registered under Section 12-A, and also had the exemption under Section 80G of the Income Tax Act.

The substantial object of the above Society was, (i) to establish and form a National Academy for Construction (N.A.C.); (ii) for the service and benefit of the construction and allied industries by creating awareness, imparting training for increasing its relevance to the national level and also ensuring quality to the international standards. The mission statement of the Society also was on similar terms which were primarily to develop the technological advancement in the competitive construction industry which serves India's economical needs. To ensure quality in work adherence, to ensure having long-lasting aesthetical construction. To modernize construction with methodologies, materials and technologies. To encourage their use to upgrade the knowledge and skills of construction engineers, contractors, managers, supervisor and workers and inculcate professionalism, etc. Various Departments of the State Government were admitted as patron members of the appellant society. Patron members were required to contribute ₹ 30 lakhs each as a One-Time Membership. However, the only exception was two private limited companies, i.e., Larsen & Toubro Limited and Nagarjuna Construction Company Limited, who were the only two private players who were admitted as patron members. The erstwhile Government of Andhra Pradesh had also allotted land of extent 167.30 acres to the appellant N.A.C. The Government of Andhra Pradesh issued a Government Order, dated 19.05.1998 and 20.06.1998 and through the said G.O., the Government decided the source of revenue for the appellant-N.A.C. Other than the membership fees it was also ordered that 0.25% of the contract value has to be deducted from all the contractor's bill at the time of raising of bills and its remittance. In addition, certain other State Government bodies, viz., Urban Development Authority, the Municipal Corporation of Hyderabad, Cyberabad Development Authority, the Department of Tourism, were also invited to be participants in this project. It is noteworthy to mention here that the financial participation of Larsen & Toubro Infosity was to the extent of ₹.8.12 crores, i.e., around 11% of the equity share.



The appellants in between incorporated a joint stock company under the Companies Act, 1956. The said company was known as Hyderabad International Expositions Limited (HITEX). The said company was incorporated with an intention of holding exhibitions and also to promote object and mission of the appellant's society. The appellants have been filing their returns periodically claiming for exemption on its net service from income tax for the Assessment Year 2002-2003, and they have filed returns claiming exemption of its service amounting to Rs.7.16 crores.

During the course of assessment, the Assessing Officer found that the appellant-N.A.C. has made an investment of Rs.1.50 crores in the equity of HITEX. This, according to the Assessing Officer, was in violation of Section 11(5) of the Act. Accordingly, the Assessing Officer had refused to grant exemption under Section 11 to the appellants and passed the Assessment Order on 14.03.2005. On account of the fact that the appellant company had made an investment of Rs.1.5 crores into the joint stock company towards equity, the assessing officer found the same to be in violation of Section 11 (5) of the Act. 11. Consequently, the assessing officer taxed the entire surplus of Rs.7.16 crores for the year under consideration. The exemption sought for under Section 11 by the appellant company stood rejected. It is this order which was subjected to challenge before the Commissioner of Income Tax (Appeals) unsuccessfully by the appellants-N.A.C. The appellants were further unsuccessful in their further attempt before the Tribunal while challenging the order passed by the Commissioner of Income Tax (Appeals) as well.

According to the appellant, the Tribunal in the course of confirming the order passed by the CIT Appeals as also the assessing officer's order, reached to a perverse finding which was otherwise not sustainable. According to the appellant, the finding of ITAT is also perverse for the reason that, all that was required to be ensured was whether the income of the society is utilised only for the objects for which the society stands established. As an alternative to the argument, it was also contended by the appellant that even if the finding of the Tribunal was to be accepted, the appellant should have been held liable to pay tax only to the extent of the quantum that the department had expended its contribution towards M/s. HITEX. In other words, according to the appellant even if the version of ITAT is found to be justifiable, the income which can be held to be not entitled for exemption would be only to the extent of the investment that the appellant society had contributed in the company M/s. HITEX.

**Held:** The appellant is a society, registered under Andhra Pradesh (Telangana Area) Public Societies Registration Act and is registered under Section 12A and exempted under Section 80G of Income Tax Act, 1961. The principal object of the society was, used to impart training, promotion of education, research etc, in the field of



construction and allied industries. However, contrary to the objects of the society, an amount of Rs.1.5 crore was invested in HITEX, the objects of which are not similar to that off the appellant society and in fact, it is also involved in using the land for commercial purpose. Apart from investment of Rs.1.5 crore in HITEX, the appellant society had also transferred 100 acres of land on lease out of 167.30 Acres of land which was allotted by the Government to the Appellant. The Assessing Officer had taken note of transfer of 100 acres by the appellant society to HITEX, however, in his wisdom, he did not further enquire into the terms and conditions of such transfer and as to whether lease rental or any amounts are being received by the appellant society.

Thus, investment of Rs.1.5 crore and transfer of 100 acres of land by the Appellant to HITEX squarely covered under Section 13(1)(d) of the Act, 1961 and, therefore, the appellant society made themselves disentitle to the benefit under Section 11 of the Act, 1961 in view of violation of section 11(5) of the Act,1961.

The Delhi High Court in DIT (Exemption) v. Charanjiv Charitable Trust[2014 (43)Taxmann 300 (Delhi)] dealt with an issue of whether the assessee violated Section 13(1)(c)(ii) read with Section 13(3) of the IT Act. The Court agreed with the contentions of the Revenue that the real motive of the assessee was to advance its surplus monies to APIL without charging any interest and since APIL was a prohibited person within the meaning of Section 13(3), it was held that the assessee has committed a violation of the provisions of Section 13 of the Income tax Act and therefore, the Trust was not eligible for the entire exemption under Section 11 of the IT Act.

The High Court of Kerala in Agappa Child Centre v. CIT [1997 (92) Taxmann 327 (Kerala)] dealt with a similar issue. The Assessee a public charitable trust, purchased a refrigerator and kept it at the residence of its managing trustee. The Court held that the Managing Trustee was one of the prohibited persons as per Section 13(3). Therefore, the Court held that the entire exemption of the trust is to be denied.

In view of the facts explained above, the appellant failed to make out any case warranting interference of this Bench with the order passed by the Income Tax Appellate Tribunal.

For all the aforesaid reasons, we are of the firm view that the question of law framed by the Court while admitting the petition, so also the question of law stressed by the learned Senior Counsel for the appellant during the course of the arguments deserves to be decided in the negative. Thus, all these Appeals deserves to be and are accordingly rejected, confirming the concurrent finding of facts arrived at by the two forums below. No order as to costs.





## HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

**Acts/Rules/Case Law:** Service matter & Constitution of India

**Case Details:** U. Naresh Vs The State of Telangana in WRIT APPEAL Nos.845, 859, 860 AND 864 OF 2022 ([Click here for full Judgment](#))

**Date of Judgment:** 29.08.2023

**Facts:** Since the issue involved in all these Writ Appeals is one and the same, all these Writ Appeals are disposed of by way of this common judgment. All these Writ Appeals are filed aggrieved by the common order, dated 29.10.2022, passed in W.P.Nos.7685, 23304 and 7641 of 2017 and W.P.No.41130 of 2018, by a learned Single Judge of this Court.

**Held:** This Court, having considered the rival submissions made by the learned counsel for the parties, is of the view that the learned Single Judge was justified in dismissing the subject Writ Petitions, as the official respondents have filled up the vacancies as per the Presidential Order. As per the Presidential Order, the entire Ranga Reddy District forms a single unit. Further, the appellants secured less marks than the last selected candidates in Stipendiary Cadet Trainee Police Constable (Civil) and Stipendiary Cadet Trainee Police Constable (AR), be it in Ranga Reddy unit or Cyberabad unit. Therefore, their cases could not have been considered for appointment. Hence, this Court is not inclined to interfere with the impugned common order.

Further, it is to be noted that the Presidential Order, which is referred to above, is issued by the President of India under Article 371D of the Constitution of India and Clause (10) of the said Article would make it clear that the provisions of this Article and of any order made by the President thereunder shall have effect notwithstanding anything in any other provision of this Constitution or in any other law for the time being in force, which would mean that the Presidential Order prevails over all other laws. Though the recruitment Rules stipulate that the selections have to be made District wise and also Commissionerate wise, and the notification, which was issued erroneously, states that the selections have to be made unit wise, when once the field is regulated by the Presidential Order, the official respondents have no other option except to follow the Presidential Order and this Court also cannot declare the action of official respondents as arbitrary, just because they issued notification erroneously. Ultimately, the Presidential Order prevails over all the laws. On this ground also, this Court is not inclined to interfere with the impugned common order, dated 29.10.2022.



## HON'BLE SRI JUSTICE T. VINOD KUMAR

**Acts/Rules/Case Law:** Code of Civil Procedure, 1908, Negotiable Instruments Act, 1881& Indian Evidence Act, 1872.

**Case Details:** M/s. Adarsh Bio-Tech Private Limited, Rep., by its Managing Director Vs M/s. Srinivasa Polymers, Rep., by its Proprietor, S. Santhi Sree in CRP 2479 of 2023. [\(Click here for full Judgment\)](#)

**Date of Judgment:** 08-09-2023.

**Facts:** This Civil Revision Petition is filed aggrieved by the order dated 08.07.2023 in I.A.No. 422 of 2023 in O.S.No. 378 of 2014 passed by the II Additional District and Sessions Judge, MedchalMalkajgiri District, at Mechal.

The Respondent No.1 herein, filed an interlocutory application in the suit under Order 16 Rule 1 of the Code of Civil Procedure, 1908 (for short 'the Code') seeking to summon the 'Assistant Director, State Forensic Laboratory Telangana State, at Red Hills' along with FSL Report/Opinion vide Report file No. DCV/523/2018 dated 23.02.2019. The Respondent No.1 claimed that the said document was adduced as evidence in C.C.No.44 of 2012 before the XV M.M. Cyberabad Medchal, Ranga Reddy District, wherein the petitioners herein were convicted for offences under Section 138 of the Negotiable Instruments Act, 1881. The Court below vide the impugned order dated 08.07.2023 allowed the said application. The present revision is filed aggrieved by the said order.

**Held:** In the facts at hand, the FSL Report is a document obtained during the course of trial in a criminal proceeding. Though the petitioners herein contend that the said document cannot be let into evidence as the same was not proved during cross-examination in C.C. No.44 of 2012, it is to be seen that the Court below has issued summons to Assistant Director to produce the document for perusal and to adduce evidence with respect to the FSL report so produced. At the cost of repetition, the scope of the impugned order is to only summon a witness and produce the document available with him for inspection of the Court. The question of letting it into evidence has to be determined by the Court below on the cross-examination of the expert witness summoned. The decision of the Apex Court in State of Himachal Pradesh Vs. Jai Lal' s case ((1999) 7 SCC 280) supports the view taken by this Court, as the Apex Court held that the report of an expert can only be let into evidence after the expert is cross-examined.

So far as the reliance placed by the learned counsel for the petitioner on the decision in Iqbal Singh Marwah Vs. Meenakshi Marwah ((2005) 4 SCC 370), it is to be seen that



the Hon'ble Supreme Court had held that the findings recorded in criminal/civil proceedings are not always binding on the Court dealing with civil/criminal proceedings arising out of the same facts, since it would depend on the evidence adduced and the standard of proof applicable to that particular proceeding. The said decision therefore, does not advance the case of the petitioners as the impugned order does not venture into the findings given in the criminal proceedings.

Similarly, the decision *Mitthulal & Anr Vs. State of Madhya Pradesh* (1975) 3 SCC 529) does not support the case of the petitioners, as in that case the Court had solely arrived at a conclusion on the evidence recorded in crosscase involving several other accused persons. In the facts at hand as observed above on the Assistant Director/expert submitting himself to cross-examination, the document obtained during the course of trial in C.C. No.44 of 2012 becomes the evidence in the underlying suit.

In the light of the aforesaid discussion, this Court is of the view that the impugned order does not suffer from any infirmity.

Accordingly, the Civil Revision Petition dismissed. The order dated 08.07.2023 in I.A. No.422 of 2023 in O.S. No.378 of 2014 passed by the II Additional District and Sessions Judge, Medchal-Malkajgiri District, at Mechal is hereby sustained.



**HON'BLE SRI JUSTICE K. LAKSHMAN**

**Acts/Rules/Case Law:** Article 227 of the Constitution of India.

**Case Details:** Kyatham Rajkumar **Vs** Vaddepalli Rajamani in CIVIL REVISION PETITION No. 1686 OF 2023 ([Click here for full Judgment](#))

**Date of Judgment:** 07-07-2023.

**Facts:** The petitioner herein filed a suit vide O.S.No.10 of 2020 initially against the respondents 1 to 4 herein and late Smt. Kyatham Iylamma (Defendant No.2) seeking partition and separate possession of suit schedule properties therein. The said suit was filed in February, 2000 before the Senior civil Judge, at Warangal and it was assigned number as O.S.No.10 of 2000. On constitution of Junior Civil Judge Court at Narsampet, the said suit was transferred to the said Court on pecuniary jurisdiction and the suit number was re-assigned as O.S.No.366 of 2017.



**Held:** In *Duggi Veera Venkata Gopala Sathyanarayana Vs. Sakala Veera Raghavaiah*(1987 (1) SCC 254), Apex Court held that any amount of proof offered without appropriate pleading is generally of no relevance. In *Biraji @ Brijraji Vs. Surya Pratap* (Judgment dated 03.11.2020 in Civil Appeal Nos.4883-4884 of 2017), the Apex Court held that in the absence of pleading, any amount of evidence will not help the party. In *Ramsarup Gupta (dead) by L.Rs Vs. Bishun Narain Inter College* (AIR 1987 SCC 1242), the Apex Court held that in the absence of pleading, evidence, if any, produced by the parties cannot be considered. It is also equally settled that no party should be permitted to travel beyond its pleading and that all necessary material facts should be pleaded by the party in support of the case set up by it. The object and purpose of pleading is to enable the adversary party to know the case it has to meet. The said principle was also reiterated by the Apex Court in *Kalyan Singh Chowhan Vs. C.P.Joshi* (2011 (11) SCC 786).

In *Union of India Vs. Ibrahim Uddin* (2012 (8) SCC 148) , relying on principle laid down in *Kalyan Singh* (supra), Apex Court held that no evidence is permissible to be taken on record in the absence of pleadings in that respect.

It is relevant to note that in the impugned order the Court referred the aforesaid facts that D.3 did not plead with regard to execution of will deed dated 16.06.2008 in the additional written statement filed on 12.10.2012 and transfer of case etc., and held that it cannot be said that all the flaws of the petitioner therein were allowed by the Court. The petitioner therein did not whisper about existence of the will deed executed by the D.2 and also nowhere in the cross-examination of D.W.1 and P.W.1 it was suggested about the execution of will deed by the D.2 bringing to the notice of the Court as well as parties. As discussed supra, on 03.02.2010 it was suggested to P.W.1 by D.3 with regard to execution of will by her mother in her favour. But there is no reference to date of execution and it was not even pleaded in additional written statement and not filed along with the Additional written statement. Therefore, according to this Court, 1st respondent/D.3 did not lay foundation and she did not mention satisfactory reasons while seeking leave to receive the said will deed dated 16.06.2008.

As discussed supra, 1st respondent/D.3 has to plead with regard to execution of will deed dated 16.06.2008 in the additional written statement or file the same along with additional written statement which she did not do so. Mere putting a vague suggestion to P.W.1 during cross-examination without reference to date of execution of will is not sufficient. 1st respondent/D.3 shall plead, lay foundation and then file application to receive the said will deed explaining the reasons for not filing the same along with additional written statement. Moreover, she has filed the present Interlocutory Application after a lapse of 15 years, that too, without explaining the delay. This is not



a case to take a lenient view. In the absence of pleading, any amount of evidence will not help the party.

There is no consideration of the said aspects by the Court below in the impugned order. Thus, it suffers from infirmity and it is liable to be set aside and accordingly it is set aside.

In the result, this Civil Revision Petition is allowed. The order dated 27.03.2023 in I.A.No.54 of 2023 in O.S.No.366 of 2017 passed by the learned Senior Civil Judge at Narsampet, is hereby set aside. Since the suit is of the year 2020, learned Senior Civil Judge at Narsampet is directed to dispose of the said suit in accordance with law as expeditiously as possible preferably within a period of three months from the date of receipt of date of this order.



### **HON'BLE SRI JUSTICE B. VIJAYSEN REDDY**

**Acts/Rules/Case Law:** G.O. Ms. No.59 dated 30.12.2014 read with G.O. Ms. No.14 dated 14.02.2022 and as modified by G.O.Ms. No.22 dated 01.03.2023

**Case Details:** Smt. Eeranki Harika & others **Vs** The State of Telangana, Rep. by its Principal Secretary Revenue (Assignment) Department, Secretariat, Hyderabad & others in W.P. Nos.84, 101, 107, 114, 127, 129, 130, 133, 138, 140, 6062, 6494, 6543, 6561, 6610, 6787, 7990, 8008, 8308, 8432, 8865, 9550, 10930, 15279, 15284, 16573, 16576, 17195, 17225, 19579 OF 2023 ([Click here for full Judgment](#))

**Date of Judgment:** 12-09-2023.

**Facts:** The Government of Telangana State issued G.O.Ms. No.59 dated 30.12.2014 for regularisation and transfer of rights on land encroachments on unobjectionable Government lands, surplus lands and ULC lands to the people on payment basis. As per the said G.O., the persons who are in possession of land on or before 02.06.2014 are eligible for regularisation on payment of amount.

The rates fixed for the respective extent of residential land are as under:

1. Possession up to 250 square yards, 50% of the basic value as on 02.06.2014
2. Possession up to 500 square yards, 75% of the basic value as on 02.06.2014.
3. Possession above 500 square yards, basic value as on 02.06.2014.



In case of regularisation of non-residential land, irrespective of extent, basic value as on 02.06.2014 shall be collected.

The Government of Telangana has issued G.O. Ms. No.14, Revenue (Assignment-I) Department, dated 14.02.2022 recommending rates for regularisation as per the amendment issued in G.O. Ms. No.12 dated 30.01.2015 which are as under: 1. Upto 250 square yards, 25% of the basic value as on 02.06.2014. 2. Upto 500 square yards, 50% of the basic value as on 02.06.2014. 3. Above 500 square yards, 75% of the basic value as on 02.06.2014.

The Petitioner submitted Application No.AOGO22200175256 dated 05.12.2022 for regularisation of Plot bearing H.No.9-75, admeasuring 245 square yards, in Survey No.141 of Mamidipally Village, Balapur Mandal, Ranga Reddy District. The petitioner received demand notice issued by respondent No.2 - the District Collector, Ranga Reddy District, to pay Rs.10,74,850/- towards regularisation charges in three (3) installments which is as under: 1. First Installment, 35% of total amount :- Rs.3,76,198/- Last Date for payment is 04-01-2023. 2. Second Installment, 35% of total amount: - Rs.3,76,198/- Last date for payment is 04.02.2023. 3. Third and Final Installment, 30% of total amount:- Rs.3,22,455/- Last date for payment is 07.03.2023.

It is submitted that as per G.O. Ms. No.59 dated 30.12.2014 read with G.O. Ms. No.14 dated 14.02.2022, regularisation charges for the land up to 250 square yards is 25% of the basic value as on 02.06.2014. The basic value of the subject land as on 02.06.2014 was Rs.3,500/- per square yards. Thus, the total value of the subject land is Rs.8,57,500/- and 25% of the same comes to Rs.2,14,375/- which is required to be paid by the petitioner for regularisation.

The demand of Rs.10,74,850/- towards regularisation charges made by respondent No.2 is excess, as such, the same is illegal, arbitrary and in violation of principles of natural justice. Hence, this writ petition.

**Held:** The interim order dated 03.01.2023 in W.P. No.84 of 2023 was passed by this Court suspending the impugned demand notice dated 05.12.2022 subject to condition of the petitioner therein depositing 25% of total value of the subject land / plot.

In the circumstances, the petitioners in this batch of writ petitions are directed to deposit the remaining 75% of the demand made under the impugned notice within a period of six (6) weeks from the date of receipt of a copy of this order. On receipt of such amount, the applications of the petitioners shall be processed under G.O. Ms. No.59 dated 30.12.2014 read with G.O. Ms. No.14 dated 14.02.2022 and as modified by G.O.Ms. No.22 dated 01.03.2023 and order/s shall be passed in accordance with law.



At this stage, the learned counsel appearing for the petitioners submitted that there are calculation errors and there is no clarity as to the rate fixed by the authorities for the land covered by the structures and appurtenant land, as such, the petitioners may be permitted to submit representations ventilating their grievance.

Having regard to such submissions, the petitioners are given liberty to submit representations ventilating their grievance for proper assessment of regularisation charges for the land covered by the structures / appurtenant land, and on receipt of such representations, appropriate order shall be passed by the authorities within a period of six (6) weeks therefrom. It is made clear that the petitioners shall pay balance amount of 75% as directed above in paragraph No.24 within a period of six (6) weeks. However, subject to outcome of representation, if any, submitted by the petitioner/s, the amount paid by such petitioner/s shall be adjusted / refunded.



### **HON'BLE SMT JUSTICE P. SREE SUDHA**

**Acts/Rules/Case Law:** Chundurur Abbaiah vs. Garlapati Satyanarayana (2020 SCC Online AP 1420), the High Court of Andhra Pradesh.

**Case Details:** Thumula Nirmala Vs Kancherla Jagan Mohan Reddy in C.R.P. No. 813 of 2023. ([Click here for full Judgment](#))

**Date of Judgment:** 04.09.2023.

**Facts:** This Civil Revision Petition is filed by defendant Nos.2 and 3, under Article 227 of the Constitution of India, aggrieved by the order, dated 20.12.2022, passed in O.S.No.9 of 2018 on the file of the Principal District Judge, Nalgonda.

**Held:** Admittedly, agreement of sale dated 21.08.2016 is without recital of delivery of possession of the suit schedule property. On an earlier occasion, this Court, by order, dated 06.07.2022, while allowing C.R.P.No.546 of 2021 filed by plaintiff against the order of the trial Court in I.A.No.373 of 2021 in O.S.No.9 of 2019 dated 22.03.2021, held that until and unless the agreement of sale, is not marked, which is a crucial document, the plaintiff cannot proceed with the trial and as such the plaintiff was permitted to mark the agreement of sale as an exhibit.

In Chundurur Abbaiah vs. Garlapati Satyanarayana(2020 SCC Online AP 1420), the High Court of Andhra Pradesh, held as under:



*“As seen from the recitals of the agreement of sale, dated 15.05.2007, it clearly shows that possession was not delivered and as such, it is a non-possessory agreement of sale, dated 15.05.2007. In the opinion of this Court the recitals therein in the agreement of sale shall govern the issue. In the present case, the agreement to sale clearly proves payment of a part of the consideration and after payment of balance sale consideration only the sale deed will be executed and the actual physical possession will be given to the purchaser by the seller. It is settled law that the agreement of sale in question does not fall within the scope of Explanation I to Article 47-A of Schedule I of the Indian Stamp Act, 1899, thus impounding of such document does not arise.”*

For the aforementioned reasons, I find that the order under challenge does not suffer from any illegality or irregularity warranting interference of this Court. Accordingly, the Civil Revision Petition is dismissed, confirming the order, dated 20.12.2022, passed in O.S.No.9 of 2018 on the file of the Principal District Judge, Nalgonda. There shall be no order as to costs.

However, since the suit is of the year 2018, the trial Court is directed to dispose of the same as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.



### **HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA**

**Acts/Rules/Case Law:** Section 20 & Section 44 of the Telangana Forest Act, 1967

**Case Details:** Mudavath Buchi Reddy Vs State of Telangana in WP 17776 of 2023 ([Click here for full Judgment](#))

**Date of Judgment:** 19-07-2023.

**Facts:** This Writ Petition is filed seeking an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondents in highhandedly taking away the petitioner's vehicle i.e., John Deer Tractor bearing Registration No.AP-25-AD-3856 and passing an order dated 09.06.2023 in respect of confiscation of the said vehicle, as illegal and void and consequently to direct the 3rd respondent to release the subject vehicle.

**Held:** In the case on hand, it is not the version of the forest officials that such offence is committed in respect of any timber or forest produce. Therefore, Section 44 cannot be invoked. Admittedly, the impugned order is passed by the District Forest Officer,





Rajanna Sircilla and Karimnagar District, exercising the power granted under Section 44. However, as earlier indicated, Section 44 does not come into play. Therefore, this Court is of the view that the impugned order issued vide order in Rc.No.687/2023/S11, dated 09.06.2023, is invalid in the eye of law.

Hence, the Writ Petition is allowed. The District Forest Officer, Rajanna Sircilla and Karimnagar District, is directed to release the subject vehicle, i.e. the vehicle bearing Registration No. AP-25- AD-3856, on the petitioner executing a bond for Rs.20,000/- (Rupees Twenty Thousand Only) with two sureties for like-sum each to the satisfaction of the said officer. Also, the identity particulars of the petitioner and his entitlement i.e., his ownership over the subject property should also be taken into consideration. The vehicle be released on production of the required solvency within a period of fifteen (15) days from the date of this order. There shall be no order as to costs.



**HON'BLE DR. JUSTICE G. RADHA RANI**

**Acts/Rules/Case Law:** SEBI Vs Sahara India Real Estate Corp. Ltd. & Ors. ((2014) 5 SCC 429)

**Case Details:** Banothu Badya etc Vs Venkudothu Balakrishna in CC 458 of 2023. ([Click here for full Judgment](#))

**Date of Judgment:** 20-07-2023.

**Facts:** This Contempt Case is filed by the petitioner-D.Hr.-plaintiff to punish the respondent No.3 i.e. Sub-Inspector of Police cum SHO, Mattampally Police Station, Mattampally Village & Mandal, Suryapet District, by name, I. Ravi Kumar S/o. I. Veeraiah, under Sections 10 and 12 of the Contempt of Courts Act, 1971 for willfully disobeying the order dated 17.08.2022 passed in E.A. No.1 of 2021 in O.S. No.38 of 2019 by the Junior Civil Judge, Huzurnagar, Suryapet District.

**Held:** The judgment and decree in O.S No.38 of 2019 dated 05.02.2020 became final and no appeal was preferred by the respondent Nos.1 and 2. If respondent Nos.1 and 2 were having any objection with regard to the implementation of the order, they would need to approach the court and file necessary petitions to set aside the ex parte judgment and decree passed against them. It was no duty of the respondent No.3 addressing letters to the court seeking direction to the revenue authorities to conduct survey to identify the boundaries of the property. It would show the connivance of the



respondent No.3 with respondent Nos.1 and 2 and willful disobedience of the orders of the trial court wherein he was directed to provide police protection to implement the orders of the court. As such, this Court does not consider the apology tendered by respondent No.3 as genuine, sincere or offered with a sense of remorse and repentance except a calculated strategy to avoid punishment. As non-compliance of the judicial orders shake the very foundation of the judicial system and undermine the Rule of Law as held by the Hon'ble Apex Court in SEBI Vs. Sahara India Real Estate Corp. Ltd. & Ors. ((2014) 5 SCC 429) and as the same is essential to maintain faith and confidence of the people in judiciary, it is considered fit to punish the respondent No.3.

In the result, the Contempt Case is allowed sentencing the respondent No.3 herein to suffer seven (7) days imprisonment and to pay a fine of Rs.2,000/- (Rupees Two Thousand Only). However, the sentence of imprisonment is suspended for a period of four (4) weeks from today.

The petitioner is directed to pay subsistence allowance @ Rs.200/- per day to the respondent No.3-contemnor during the period of his detention in civil prison, within four (4) weeks from today.



### **HON'BLE SRI JUSTICE N. TUKARAMJI**

**Acts/Rules/Case Law:** Cr.P.C & Negotiable Instruments Act,1881

**Case Details:** Mana Advertising and Entertainment Ltd., and another Vs M/s. Pallavi Constructions & others in CRIMINAL REVISION CASE No.1395 OF 2019. ([Click here for full Judgment](#))

**Date of Judgment:** 14-08-2023.

**Facts:** The relevant facts in brief are that:-

In a transaction between the revision petitioner/complainant and respondent No.1 firms, the disputed cheque was issued by respondent No.1 and the same was dishonoured by the banker. Thereupon the revision petitioner had initiated the proceedings under Section 138 of Negotiable Instruments Act, 1881 (for short "NI Act"). After the trial and hearing, the petition under Section 319 of Cr.P.C. came to be filed with a prayer to add respondent No.2 as an accused. The trial Court in the impugned order held that as the statutory notice was issued on respondent No.1/firm but not on its partners in their individual capacity, and merely referring a person in the



cause title would not be sufficient to prosecute that person and as the witnesses were already examined in inquiry adding the accused would cause prejudice and the reason of oversight cannot be accepted at the advanced stage, dismissed the application. Thus, this revision case by the complainant.

**Held:** Howsoever, non-service of the statutory notice on the respondent No.2 has been considered as primary cause for rejection of the petition. The Hon'ble Supreme Court had an occasion to examine the requirement of service of notice individually on the directors of a company in Krishna Texport (supra) and in para 18 held as follows:- "...In our view, Section 138 of the Act does not admit of any necessity or scope for reading into it the requirement that the Directors of the Company in question must also be issued individual notices under Section 138 of the Act. Such Directors who are in charge of affairs of the Company and responsible for the affairs of the Company would be aware of the receipt of notice by the Company under Section 138. Therefore, neither on literal construction nor on the touchstone of purposive construction such requirement could or ought to be read into Section 138 of the Act..."

Thus, in the light of above clarification, and explanation (a) and (b) of the Section 141 of the N.I. Act as the body corporate means and includes a firm, non-service of notice on the directors/partner, when the statutory notice has been served on the company/firm should be considered as sufficient service of notice on its directors/partners. Therefore, disregarding the application of the revision petitioner on this count is unsustainable.

The other aspect is delay in filing the application. Section 319 of Cr.P.C. does not contemplate any timeline or the stage by which the application can be moved. Further, the provision is clear as to the steps to be taken by the Court on inclusion of any person as an accused and the procedure contemplated in sub section (4) would secure the interests of respondent No.2 who is proposed accused. Above all, when the material on record is obvious that being executive partner of the firm and signatory of the cheque, axiomatically, the cause in the complaint has been equally existing against the respondent No.2, and in absence of any malafides on the part of revision petitioner in filing the application with delay to subserve substantial justice the delay if any, should not come in the way.

For the aforesaid, it shall be held that though the application of the revision petitioner deserves positive consideration, the learned Magistrate failed to properly appreciate the legal position in exercising jurisdiction.

In effect, the Revision Petition is allowed and the order dated 29.11.2019 passed in C.C.No.223 of 2018 on the file of the XV Special Magistrate, Hyderabad, is set aside and respondent No.2/proposed accused is impleaded as accused No.2 in the complaint Case.



## HON'BLE SMT. JUSTICE T. MADHAVI DEVI

**Acts/Rules/Case Law:** State of Tamil Nadu and others Vs. G. Hemalathaa and another ((2020) 19 SCC 430)

**Case Details:** B. Prashanth Vs TSPSC in W P 15811 of 2023 ([Click here for full Judgment](#))

**Date of Judgment:** 23-09-2023.

**Facts:** Brief facts leading to the filing of the present Writ Petition are that the respondent issued Notification No.04/2022 dt.26.04.2022 for recruitment to the posts of Group-I service officers in the State of Telangana. The petitioners being eligible for the same were preparing for competitive examinations and claimed to have undergone coaching for appearing in the Group-I and Group-II services recruitment examinations. It is submitted that pursuant to the Notification dt.26.04.2022, the Group-I examination was held on 16.10.2022 forenoon. However, due to leakage of question paper, the said examination was cancelled and re-examination was conducted on 11.06.2023. The Notification dt.26.04.2022 contained general instructions to the candidates and one of the instructions was that the candidates have to report to the examination venue at least 30 minutes before the commencement of examination, to record their photo image/thumb impression on biometric system. The hall tickets were issued to the petitioners for the examination to be conducted on 16.10.2022 and the biometrics of the candidates were taken. However, in the hall ticket issued for the examination to be conducted on 11.06.2023, the said instruction was omitted. On the ground that the biometrics of the aspirants were not obtained during the examination, and apprehending that the examination was not conducted in a transparent and fair manner, the petitioners and others submitted a representation dt.13.06.2023 to the Chairman of the respondent Service Commission and a request was made to cancel the examination held on 11.06.2023 and to conduct re-examination in this situation. When the respondent has not taken any action on their representation, the petitioners have filed the present Writ Petition.

**Held:** The Hon'ble Supreme Court in the case of State of Tamil Nadu and others Vs. G. Hemalathaa and another ((2020) 19 SCC 430) has held that the instructions issued by the Commission are mandatory in respect of the candidates appearing for the examination and thus have the force of law and have to be complied with strictly. It was held that strict adherence to the terms and conditions of the instructions is of paramount importance. It was further held that the High Court, in exercise of powers under Article 226 of the Constitution of India, cannot modify/relax the instructions issued by the Commission.



From the above, it is noticed that the compliance with the instructions issued by the Commission are both directory and mandatory for both the Commission as well as the candidates and the Commission was entitled to change the instructions if it chooses to do so, but if it intended to change the instructions, it could have done so by issuing an addendum as was done in the case of Group IV Examination. Having failed to do so, it has to follow the instructions mandatorily. The contention of the learned counsel for the respondent that prelims is only a screening test and that even if certain candidates could get through due to alleged deficiencies/laxities in the conduct of examination, they would have to face the Mains Examination, is also not acceptable for the reason that all the successful candidates in the prelims would not be allowed for the Mains Examination, but would be allowed in the ratio of 1:50 in the order of their merit in the Preliminary Examination. This may result in some of the meritorious candidates being excluded from the Mains Examination. It is noticed that a large number of the candidates have appeared for the Preliminary Examination held on 11.06.2023 and are preparing for the Mains Examination, which would be the deciding examination for the aspirants. Therefore, to prevent any injustice being caused to them, this Court is inclined to cancel the Group-I Preliminary Examination conducted on 11.06.2023 and to direct the respondent to re-conduct the Preliminary Examination by implementing all the general instructions issued in the Notification including Biometric without any exception. This Court would fail in its duty if it does not express its displeasure about the way the respondent has filed the counter affidavit without taking care to verify the details of the candidates who appeared for the examination. The Web Note is dated 28.06.2023, wherein it is mentioned that the number of candidates who have appeared for the examination is 2,33,506 as against the earlier report of 2,33,248, but in the counter affidavit which is filed on 12.07.2023, it is mentioned that 2,33,248 candidates only have appeared for the examination. Thus, the respondent does not appear to be careful either in conducting the examination or in correlating the data of the candidates who appeared for the examination for Group-I services in spite of its importance and its impact on the candidates appearing for the examination.



**HON'BLE SRI JUSTICE K. SURENDER**

**Acts/Rules/Case Law:** Section 447 of the Companies Act, Article 226 of the Constitution of India & Sections 406, 420, 468 r/w 120-B IPC.

**Case Details:** M/s.Mathsya Giri Lakshmi Narasimha Power Private Limited & others Vs N.Kiran Kumar and another in CRLP 1771 of 2019 ([Click here for full Judgment](#))



**Date of Judgment:** 27.09.2023.

**Facts:** This Criminal Petition is filed by the petitioners/A1 to A5 to quash the proceedings in Crime No.18 of 2019 on the file of Central Crime Station, Hyderabad registered for the offences under Sections 406, 420, 468 r/w 120-B IPC.

**Held:** In *Madhulimaya v. State of Maharashtra* ( (1977) 4 SCC 551) , the Hon'ble Supreme Court held that when there is miscarriage of justice or abuse of the process of the Court or required statutory procedure not been complied with or the order passed or sentence imposed requires correction, High Court can exercise inherent powers.

In *Popular Muthaiah v. State rep. by Inspector of Police* ((2006) 7 SCC 296), the Hon'ble Supreme Court held that powers have to be exercised as it acts *ex debito justitiae* to mean to do real and substantial justice in the *lis* for which alone the power exists inherently. It was further held that inherent power has its roots in necessity and its breadth is coextensive with the necessity.

Both the 2nd petitioner and the defacto complainant have filed complaint and counter complaints against one another. Even prior to lodging the present criminal complaint, 2nd petitioner/A2 has filed complaint to ROC. It is not disputed that the complaint is pending with the ROC and the amounts which were taken towards the consideration of the land sold by the company was credited to the Company's account.

The allegation of the defacto complainant is that board resolutions were fabricated. The only reason given by the complainant is that though his name was mentioned that he was present in the board meeting, however, he was not present. It is not the case that the signatures of complainant were forged in the meeting held on the said date. The alleged transactions have taken place in February, 2017. The revenue records were also mutated accordingly and pattadar pass books were issued in favour of A6. However, complaint was filed in the year 2019, after A-2 filed complaint against Respondent / complainant.

In the event of the petitioners not following due procedure under the Companies Act while selling the property, it cannot be said that the petitioners have committed an offence of cheating. To attract an offence of cheating, there should be an act of deception pursuant to which a person must have parted with the property. Further, causing wrongful loss by acts of deception also would amount to an offence of cheating. In the present case, board resolution was passed and thereafter, property was sold and the land mutated in favour of A6.

In the event of the defacto complainant having any grievance, the same can be agitated before the ROC or approach civil court seeking cancellation of the sale deed.



Transactions may amount to both criminal acts and civil disputes. In the back ground of the 2nd petitioner/A2 lodging complaint against the defacto complainant with the ROC for fabrication of company documents and one year thereafter, present complaint being filed, appears to be deliberate and retaliatory. The disputes are amongst the directors/shareholders in the company. Since the complaint is already pending with the ROC, it is for the parties to approach the ROC and also filed complaints in the event of violation of the provisions of the Companies Act, 2013.

Section 447 of the Companies Act reads as follows:

*“447. Punishment for fraud.— Without prejudice to any liability including repayment of any debt under this Act or any other law for the time being in force, any person who is found to be guilty of fraud, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to ten years and shall also be liable to fine which shall not be less than the amount involved in the fraud, but which may extend to three times the amount involved in the fraud: Provided that where the fraud in question involves public interest, the term of imprisonment shall not be less than three years.”*

*Where the fraud in question involves public interest, the term of imprisonment shall not be less than three years. Explanation.—For the purposes of this section— (i) “fraud” in relation to affairs of a company or anybody corporate, includes any act, omission, concealment of any fact or abuse of position committed by any person or any other person with the connivance in any manner, with intent to deceive, to gain undue advantage from, or to injure the interests of, the company or its shareholders or its creditors or any other person, whether or not there is any wrongful gain or wrongful loss; (ii) “wrongful gain” means the gain by unlawful means of property to which the person gaining is not legally entitled; (iii) “wrongful loss” means the loss by unlawful means of property to which the person losing is legally entitled*

According to the defacto complainant fraud was played in relation to affairs of the company, in the event of there being any wrongful loss or wrongful gain, the allegations and counter allegations by the 2nd petitioner/A2 and the defacto complainant can be agitated under the Companies Act, 2013.

The Hon’ble Supreme Court in the case of State of Haryana and others v. Ch.Bhajan Lal and others (1992 AIR 604), had enunciated the principles for use of the extraordinary power under Article 226 of the Constitution of India, wherein it is held as follows:

*“(7) where a criminal proceeding is manifestly attended with malafide and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal knowledge.”*



In view of the above discussion, the proceedings in Crime No.18 of 2019 on the file of Central Crime Station, Hyderabad, are hereby quashed.



### **HON'BLE MRS. JUSTICE SUREPALLI NANDA**

**Acts/Rules/Case Law:** Justice K.S. Putta Swamy (Retd.) & Another vs. Union of India and others reported in (2017) 10 SCR 569.

**Case Details:** Smt. Amina Begum Vs The State of Telangana in W P 6889 of 2019 ([Click here for full Judgment](#))

**Date of Judgment:** 16-08-2023.

**Facts:** The petitioner is the absolute owner and pattadar of the agriculture land to an extent of Ac.0.16 Gts in Sy.No. 12, an extent of Ac. 1.05 Gts in Sy.No.13 and also an extent of Ac.4.21 Gts in Sy.No. 15; all the mentioned moieties of properties put together will come to a total extent of Ac. 6.02Gts which are situated in Kothrepally Village, Vikarabad Mandal and District (herein after referred to as Subject Property). All the above lands are private patta lands and the petitioner is in possession of the said properties since 2003.

b) The petitioner acquired the Subject Property in the year 2003 by way of registered gift deed vide document No.1663/2003 and two sale deeds Vide documents Nos. 1493/2003, 1494/2003 got executed on 03.07.2003 by the petitioner herein after paying due consideration and the same was registered in SRO, Vikarabad. Accordingly, the Pattadar Pass Books have been issued and entries are made in the name of the petitioner.

c) As the matter stood thus the Government of Telangana introduced a scheme by name Land Records Updation Program (LRUP). Thus, the petitioner's agriculture land was also scrutinized under theLRUP and the proceedings have been issued as per the procedure laid down in the RoR Act, vide proceedings in No. B/1523/2018 dated 14.09.18.

d) By virtue of the above said proceedings, the Government have re-mutated the entries of the petitioner into revenue records as owner and possessor of the above mentioned agriculture lands. In spite of mutation of the petitioner's name in all the revenue records pertaining to the above said agriculture lands, the proposed Pattadar





Pass Book-cum-Title Deed has not been issued on 09.11.2018, the petitioner made a representation to issue pattadar passbookcum-title deed under the LRUP.

e) Aggrieved by the action of the respondents and nonresponse to the representations made by the petitioner, on 24.12.18 an application was made under RTI through the petitioner's authorized person asking the reasons for not issuing Pattadar Pass Book-cum-Title Deed.

f) The 5th Respondent in response to the RTI application dated 24.12.18, issued a Memo dated 01.03.19 vide proceedings No. RTI/06/2018-19, stating that the Pattadar Pass Book-cum-Title Deed has not been issued in favour of the petitioner for the reason that she has not submitted her Aadhar Number. However, there was no official circular or executive instruction issued by the Government making Aadhar Number mandatory for issuing the Pattadar Passbook Cum Title deed.

g) Without there being any statutory sanction, denial of statutory right of having PPB Cum TD is arbitrary and unconstitutional. Alongside, the petitioner could not obtain any Aadhar Number as she is suffering from diabetic neuropathy, as a result of which her hand finger prints and the iris impressions cannot be obtained. Due to the physical inability and medical reasons, it is impossible to obtain Aadhar Card in favour of the petitioner and for the reason of non-obtaining the Aadhar Card, the authorities cannot deny the statutory benefits for which the petitioner is entitled.

h) Learned counsel for petitioner places reliance on judgment of the Supreme Court in W.P. (Civil) No. 494 of 2012 dated 26.09.2018. In view of the above factum, denial of issuance of Pattadar Pass Book-cum-Title Deed for which the petitioner is entitled under statute is not reasonable and also illegal, arbitrary besides violation of Art.300-A of Constitution of India. Hence, this Writ Petition.

**Held:** This Court opines that the Petitioner cannot be denied the relief prayed for in the present Writ Petition on the ground that the Petitioner does not have the Aadhar card. Taking into consideration the above said facts and circumstances, the health condition of the Petitioner, and the specific averments made by the Petitioner in the reply affidavit filed by the Petitioner in particular paras 11 to 20 (referred to and extracted above), and the view taken by the Apex Court in its judgment in Justice K.S. Putta Swamy (Retd.) & Another vs. Union of India and others reported in (2017) 10 SCR 569 passed in W.P.(Civil) No.494/2012, dt. 24.08.2017, whereunder the Hon'ble Apex Court categorically reiterated that the citizen of India shall not be deprived of his statutory benefits merely on the ground of not having Aadhar card, the Writ Petition is allowed and the 5th Respondent is directed to reconsider the Petitioner's request for issuance of pattadar passbook cum title deed for agriculture land to an extent of



Ac.0.16 gts., in Sy.No.12, an extent of Ac.1.05 gts., in Sy.No.13 and also an extent of Ac.4.21 gts., in Sy.No.15 to a total extent of Ac.6.02 gts., which are situated in Kothrepally Village, Vikarabad Mandal and District in favour of the Petitioner in accordance to law without insisting the Petitioner to subject Petitioner's Aadhar card or its details, within a period of 2 weeks from the date of receipt of the copy of the order taking into consideration the view taken by the Apex Court in its Judgment in Justice K.S. Putta Swamy (Retd.) & Another vs. Union of India and others reported in (2017) 10 SCR 569 passed in W.P.(Civil) No.494/2012, dt. 24.08.2017, where under the Hon'ble Apex Court categorically reiterated that the citizen of India shall not be deprived of his statutory benefits merely on the ground of not having Aadhar card and pass appropriate orders for issuance of pattadar passbook cum title deed to the Petitioner herein in respect of the subject land. However, there shall be no order as to costs.



### **HON'BLE SRI JUSTICE M. SUDHEER KUMAR**

**Acts/Rules/Case Law:** G.O.Rt.No.872 Edn. Education (Exams) Department, dated 16.05.1992.

**Case Details:** Dandaboina Harish Vs The State of Telangana in WRIT PETITION Nos.9649 AND 13332 OF 2023 ([Click here for full Judgment](#))

**Date of Judgment:** 06-09-2023.

**Facts:** The petitioner is aged about 15 years and a student studying 10th class in Mahatma Jyotiba Phule Telangana Backward Classes Welfare Residential Educational Institutions Society (MJPTBCWREIS) for Boys, Kamalapur, Hanumakonda District.

He appeared for the SSC examinations with Hall Ticket bearing Roll No.2312110178 with effect from 03.04.2023 at examination centre No.12050 i.e., Z.P. High School (Boys), Kamalapur, Hanumakonda District. It was alleged that, on 04.04.2023, during the course of examination of Hindi subject, the petitioner has given scope for malpractice by using unfair means and violated the provisions of the Telangana Public Examinations (Prevention of Malpractices and Unfair Means) Act, 1997 (for short 'the Act, 1997'). On the said allegation, the petitioner was prevented from appearing for the examinations with effect from 05.04.2023 to 11.04.2023. At that stage, the petitioner approached this Court by filing Writ Petition No.9649 of 2023 and this Court passed an interim order, dated 08.04.2023, permitting the petitioner to appear for the



Science and Social examinations that were scheduled to be held on 10.04.2023 and 11.04.2023. Accordingly, the petitioner appeared for the said two examinations. Thereafter, respondent No.2 issued proceedings, dated 05.04.2023, cancelling the performance of the petitioner in all the papers for which the petitioner appeared during the month of April, 2023 and also debaring the petitioner for two subsequent examinations on the ground that the petitioner involved in malpractice on 04.04.2023 by disclosing Hindi subject question paper at centre No.12050 to an outsider. Aggrieved by the said proceedings, dated 05.04.2023, the petitioner approached this Court by filing Writ Petition No.13332 of 2023.

This Court, by an interim order, dated 11.05.2023, directed respondent Nos.4 and 5 to permit the petitioner to pay examination fee for the supplementary examinations that were scheduled to take place with effect from 14.06.2023 in respect of two examinations for which he could not appear, which were held in the month of April, 2023. Accordingly, the petitioner was permitted to appear for the said examinations.

Respondent No.2 filed counter affidavit resisting the relief sought by the petitioner in both the Writ Petitions.

**Held:** There is no dispute about the power and authority of the respondents to impose such punishments. But, while imposing any such punishments, having serious consequences, the respondents are required to follow the basic principles of law, especially the principles of natural justice. Without following the principles of natural justice and without conducting any enquiry by duly affording an opportunity to the petitioner, the respondents are not entitled to issue the impugned proceedings. It is not a case, where the petitioner has admitted his guilt or has admitted about the alleged incident. On the other hand, it is his specific contention that the pictures of the question paper were taken forcibly, while he was writing the exam in the examination hall.

The contention of the learned Additional Advocate General that no enquiry need be conducted in the cases where the misconduct is apparent on the face of it or in cases where an offence was committed openly by placing reliance on a decision of the Hon'ble Apex Court in the case of Director (Studies), Dr. Ambedkar Institute of Hotel Management, Nutrition and Catering Technology, Chandigarh and others v. Vaibhav Singh Chauhan ((2009) 1 SCC page 59 ) has no application to the facts of the case. In the said case, the guilt was admitted by the student concerned. No doubt, the scope of interference by this Court in exercise of its jurisdiction under Article 226 of the Constitution of India into the decisions taken by the Educational authorities, especially in the cases of malpractices, is very minimal rather no such interference is called for except under exceptional circumstances. But, in the instant case, in view of blatant



violation of the principles of natural justice, this Court is of the considered view that the said decision of the Hon'ble Apex Court cannot be applied to the case on hand. It is not that this Court is exonerating the petitioner from the guilt, but this Court is constrained to interfere in the matter for want of compliance with the principles of natural justice, which is the basic principle of administrative law.

In the circumstances, the impugned order is set aside and the respondents are directed to forthwith declare the result of the examinations in question for which the petitioner had already appeared and take all further steps including issuance of necessary certification, in accordance with law.

Accordingly, both the Writ Petitions are allowed, to the extent indicated hereinabove.



### **HON'BLE SMT. JUSTICE JUVADI SRIDEVI**

**Acts/Rules/Case Law:** Article 226 of Constitution of India & Endorsement No.A4/412/2019, dated 22.07.2019.

**Case Details:** Dr. K. Ranjana, BAMS Vs The District Collector in WRIT PETITION No.19466 of 2019 ([Click here for full Judgment](#))

**Date of Judgment:** 31-07-2023.

**Facts:** The facts of the case, in brief are that the husband of the petitioner was a Doctor working under State Government. He died in harness on 30.10.2017. Immediately thereafter, the petitioner, being the legally wedded wife of the deceased Doctor, made a representation, dated 18.12.2017 to the respondent authorities requesting them to provide employment on compassionate grounds. When the said representation, dated 18.12.2017 was not acted upon by the respondents, the petitioner filed W.P.No.163 of 2019 before this Court and this Court, vide order, dated 04.01.2019 disposed of the said writ petition directing the respondents to consider the case of the petitioner for appointment on compassionate grounds by duly considering the representation submitted by her on 18.12.2017 and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of the said order. Thereafter, the respondent No.1, vide Endorsement No.A4/412/2019, dated 22.07.2019 rejected the request for compassionate appointment to the petitioner on the ground that the petitioner was not a "local candidate" and that her request for compassionate appointment was not found to be in accordance with the guidelines



issued vide Government Memo No.17414/Ser.A/2007, dated 07.12.2007. Aggrieved thereby, the petitioner filed this writ petition seeking the relief stated supra.

**Held:** Thus it is clear that the petitioner, after her marriage with the deceased Government employee on 05.09.2007, has been staying in the State of Telangana along with her husband till the time of his death in harness on 30.10.2017. Merely because she studied at Maharashtra from Class V to X during the year 1992-98 does not mean that she belongs to Maharashtra State and would become non local in the Telangana State qua her request for providing job on compassionate grounds. Except for her educational qualifications which were acquired by her by studying at Maharashtra, for all practical purposes, the petitioner needs to be treated as a local candidate of Telangana State. Hence it is not open to the respondents to deny compassionate appointment to the petitioner on an hyper technical ground that the petitioner is not eligible to be appointed on compassionate grounds since she is not a local candidate, which, if permitted would defeat the wholesome underlying object of the scheme of compassionate appointment. Viewed thus, the Endorsement No.A4/412/2019, dated 22.07.2019 issued by the Respondent No.1 cannot withstand the test of judicial scrutiny and is liable to be set aside.

Coming to the next question as to whether the petitioner is entitled to be appointed in the post requested by her i.e. Medical Officer, it is apt to state that since the purpose of providing appointment on compassionate grounds is to mitigate the hardship due to the death of the bread winner of the family, in a matter of compassionate appointment, there cannot be insistence for a particular post. Out of purely humanitarian consideration and having regard to the fact that unless some source of livelihood is provided to the bereaved family which would not be able to make both ends meet, a provision is made for giving appointment to one of the dependants of the deceased who may be eligible for appointment. Care has, however, to be taken that provision for grant of compassionate appointment, which is in the nature of an exception to the general provisions, does not unduly interfere with the right of those other persons who are eligible for appointment against a post, which would have been available, but for the provision enabling appointment being made on compassionate grounds. As it is in the nature of exception to the general provisions, it cannot substitute the provision to which it is an exception and thereby nullify the main provision by taking away completely the right conferred by the main provision. The appointment on compassionate ground cannot become another source of recruitment but merely an exception to the aforesaid requirement taking into consideration the fact of death of the employee while in service. Thus, it is the discretion of the Government to give appointment on compassionate grounds to a person in which, he/she would be found suitable and this Court, under Article 226 of Constitution of



India, cannot direct the Government to provide compassionate appointment to a person in a particular post. In the instant case, though the petitioner requested for compassionate appointment in a particular post, i.e. Medical Officer, it is for the respondents to decide as to for which post the petitioner would be found suitable.

For the foregoing discussion and taking into consideration the totality of the facts and circumstances of the case, this Court is of the firm opinion that the petitioner is entitled for appointment on compassionate grounds in a post to which she is found suitable by the respondents.

Resultantly, this writ petition is allowed. The impugned Endorsement No.A4/412/2019, dated 22.07.2019 issued by the Respondent No.1, rejecting the request of the petitioner for compassionate appointment is hereby set aside. The respondents are directed to consider the case of the petitioner for grant of compassionate appointment in a suitable post, in accordance with the governing rules and regulations. The said exercise of considering the case of the petitioner for grant of compassionate appointment and passing appropriate consequential orders shall be concluded within a period of sixty (60) days from today.



### **HON'BLE SRI JUSTICE N.V. SHRAVAN KUMAR**

**Acts/Rules/Case Law:** Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977.

**Case Details:** Ahmed Awad Bakhrayaba and others **Vs** Government of Andhra Pradesh, Represented by its Secretary, Revenue Department Secretariat, Hyderabad and others *in W.A 219 of 2008.* ([Click here for full Judgment](#))

**Date of Judgment:** 25-09-2023.

**Facts:** This intra Court Appeal has been preferred by the Appellants/ Writ Petitioners against the order dated 19.12.2007 passed in W.P. No.17626 of 2007 and batch by the learned Single Judge.

Though the common order was passed by the learned Single Judge as the facts in all the batch of writ petitions are similar, present intra Court appeal has been preferred only against the W.P. No.17626 of 2007.



The Appellants/Petitioners filed W.P. No.17626 of 2007 questioning the resumption order dated 19.02.2007 passed by the Tahsildar/Mandal Revenue officer, Shamshabad Mandal, Ranga Reddy District, which was confirmed by the Revenue Divisional Officer, Chevella Division vide order dated 26.07.2007 under the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act, 1977) as illegal, arbitrary and without jurisdiction and in contravention to the provisions of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (for short 'the Act 1973).

**Held:** In the case on hand, the Appellants/Petitioners have jointly put in their lands and used it for a commercial purpose for stone crushing purpose, which denies the benefit given by the legislation to the landless poor and is in contravention to the provisions of both the Acts. As such, the submissions to the extent that Section 14(2) of the Act, 1973 has provided for payment of instalments in period of 15 years and then grant of Patta to the allottee is not applicable to the Appellants/Petitioners case. That apart, the submissions to the extent that disposal of surplus land under Section 14 of the Act, 1973 contemplates the permanent transfer unlike assignment of land free of cost and also in terms of Section 14 (2) of the Act, 1973 to provide payment of instalments for a period of 15 years and grant Patta to the allottee is also not applicable to the Appellants/Petitioners case. As the Appellants/Petitioners themselves in their affidavit submitted that the subject land admeasuring Acs.12.07 guntas in Sy.No.43 of Kothwalguda Village, Shamshabad Mandal, Ranga Reddy district was purchased under various registered sale deeds linking to their vendors who have earlier purchased under registered sale deeds. As such, the transfer of said lands on the strength of various sale deeds in favour of the Appellants/Petitioners does not transform the Appellants/Petitioners as absolute owners in terms of the provision of both 1973 and 1977 Act and by operation of law, the character of the said lands would also not change.

Thus, the aims and objects of the Act, 1977 read with aforesaid provisions go to show that the Act 1977 prohibits alienation permanently of the assigned lands in favour of landless poor whether they are ceiling surplus lands or Government lands or waste lands.

The learned Single Judge has also considered the various relevant judgments rendered in the case of Kammari Balaram Vs. A.Bhoom Lingam (1984 (1) AWR 50), Vemula Satyavathi Vs. District Collector (2003 (3) ALD 415, Dammalapati Ramalingam Vs. District Collector, Khammam District (2006 (6) ALT 299, Dharma Reddy Vs. Sub-Collector, Bodhan (1987 (1) ALT FB 124, and declined to accept the contention of the learned counsel for the Appellants/Petitioners that the restriction imposed under



Section 14 (4) of the Act, 1973 prohibiting alienation in respect of allotted/transferred land in favour of landless poor and such alienation cannot be permanent in nature holding that Section 14 (4) and (5) read with Rule 10 of the Rules 1974 permanently prohibits the alienation. It is further held that after the Act, 1973, the Act, 1977 has been enacted, would prohibits transfer of the assigned lands including ceiling surplus lands allotted/transferred in favour of landless poor. Once the ceiling surplus lands allotted/transferred in favour of the landless poor are brought within the definition of assigned lands under Section 2 (1) of the Act 1977, it cannot be said that the competent authority under the Act, 1977 is not entitled to invoke the provisions of the Act, 1977. Hence, the Section 10 of the Act, 1977 having overriding effect on the other laws, the Act, 1977 empowers the competent authority to resume the said lands.

For the aforementioned reasons, we concur with the view taken by the learned Single Judge in the impugned order dated 19.12.2007 in W.P. No.17626 of 2007.



**HON'BLE SMT. JUSTICE M.G.PRIYADARSINI**

**Acts/Rules/Case Law:** Order XXI Rule 58 r/w Section 151 C.P.C.

**Case Details:** Katta Venkateswara Rao Vs Maddela Shiva Krishna etc in A.S.Nos.162, 163 & 164 of 2021 AND C.R.P.Nos.1062, 1075, 1076 & 1078 of 2021 ([Click here for full Judgment](#))

**Date of Judgment:** 08.08.2023.

**Facts:** By common orders, dated 28.11.2019, the learned Principal District Judge, Khammam, allowed E.A. Nos. 213, 214 & 215 of 2016 filed by the children (representatives) of judgment debtor. By the same common orders, E.A. Nos. 1, 2 & 3 of 2019 filed by the decree holder to reopen the case, recall R.W.1 and to receive additional evidence were dismissed. All these applications arose out of the execution proceedings in E.P. No. 31 of 2015 in O.S. No. 39 of 2010.

A.S. Nos. 162, 163 & 164 of 2021 are preferred by the decree holder being aggrieved by the common orders passed in E.A. Nos. 213, 214 & 215 of 2016 respectively, in allowing the applications filed by the representatives of the judgment debtor to declare them as the owners and possessors of the petition schedule properties and to delete the same from the E.P. schedule property. Whereas, C.R.P. Nos. 1062, 1075 & 1078 of 2021 are preferred by the decree holder challenging the dismissal of applications filed by him in E.A. Nos. 2, 1 & 3 of 2019 respectively, for reopening the





case for receiving the documents; to recall R.W.1 for marking additional documents; and to receive additional documents i.e., orders, plaint and written statement in O.S. No. 72 of 2010. Whereas, C.R.P. No. 1076 of 2021 is filed by the decree holder challenging the docket orders dated 28.11.2019 in E.P. No. 31 of 2015 dismissing the E.P. in view of allowing E.A. Nos.213 to 215 of 2016.

For the sake of convenience, hereinafter, the parties are referred to as per their array before the Executing Court.

In this batch of cases, there are two sets of facts, one relating to the claim petitions i.e., E.A. Nos. 213 to 215 of 2016 and the other relating to E.A. Nos. 1 to 3 of 2019. Since the purview of E.A. Nos. 1 to 3 of 2019 is limited to that of reopening the case; recall R.W.1 and to receive additional documents in relation to O.S. No. 72 of 2010, this Court is of the view that the facts relating to E.A. Nos. 213 to 215 of 2016 are sufficient to deal with for the purpose of deciding the present batch of cases.

The facts that are necessary for disposal of the batch of these cases are that seeking specific performance of agreement of sale, dated 06.07.2009, executed by the judgment debtor for sale of the suit schedule property i.e., agricultural land to an extent of Ac.4.16 guntas, situated in Sy. Nos. 333/EE/E, 341/UU & 342/A of Chandrupatla Revenue Village, Kalluru Mandal, Khammam District, the decree holder instituted O.S. No. 39 of 2010 on the file of the Principal District Judge, Khammam, which came to be decreed ex parte on 17.09.2014. Since the judgment debtor did not come forward to execute the registered sale deed in terms of the decree, E.P. No. 31 of 2015 came to be instituted seeking execution of registered sale deed through the court. Pending the E.P. proceedings, the children of judgment debtor namely, Maddela Shiva Krishna, Maddela Nandini and Maddela Baby Rani filed applications i.e., E.A. Nos. 213, 214 & 215 of 2016 respectively, under Order XXI Rule 58 r/w Section 151 C.P.C. to declare them as the owners and possessors of the petition schedule properties i.e., the land to an extent of Ac.2.16 guntas in Sy. No. 341/UU; Ac.1.00 guntas in Sy. No. 333/EE/E; and Ac.1.00 guntas in Sy.No.333/EE/E and to delete the said properties from the E.P. schedule properties contending that they are in exclusive possession of the said properties as lawful owners as their mother i.e., the judgment debtor, had executed registered gift settlement deeds bearing document Nos. 3392/2009, 3393/2009 & 3394/2009, all dated 10.12.2009 respectively. Since the date of settlement deeds, they are in possession and enjoyment of the same with absolute rights and that the revenue authorities have also mutated their names in respect of the said properties. It is their case that the judgment debtor had no knowledge about the suit agreement of sale with the decree holder since the said transaction took place in between the father of the claim petitioners and the decree holder. The suit was instituted claiming the judgment debtor to be the owner and possessor of the suit schedule property but in fact, by the time of institution of the suit, the judgment



debtor was not the owner of the E.P. schedule properties, but the claim petitioners are the owners and possessors.

**Held:** The documents, being gift deeds, require attestation at least by two witnesses. Therefore, when the claim petitioners claim that they became owners and possessors of the petition schedule properties by virtue of gift settlement deeds, all dated 10.12.2009, they ought to have examined at least one attesting witness to the gift settlement deed to prove their claim. In the absence of examination of any of the attesting witnesses, the Executing Court ought not to have relied heavily thereon to hold that the claim petitioners were in possession of the petition schedule properties, more particularly, in the absence of any supporting revenue records.

As already observed above, the judgment debtor having filed a petition under Section 45 & 73 of the Indian Evidence Act, to send the agreement of sale to the handwriting expert for comparison of her signature and having got it allowed, did not proceed further and did not participate in the suit proceedings and allowed the suit to be decreed ex parte. Furthermore, the evidence of P.W.1 (claim petitioner in E.A. No. 213 of 2016) discloses that he was having knowledge about the pendency of suit between the decree holder and the judgment debtor. Admittedly, by the time of institution of the suit, the gift settlement deeds were executed. Such being the case, no reasons are forthcoming as to why the claim petitioners did not take steps to get themselves impleaded in the suit. For the forgoing discussion, this Court is of the view that the learned Executing Court fell in error in allowing the Claim Petitions filed by the claim petitioners and the impugned common order, in this regard, is liable to be set aside.

Coming to the aspect of dismissal of E.As. by the Executing Court that were filed by the decree holder seeking to reopen, recall R.W.1 and receive additional documents, this court is of the view that as the additional evidence i.e., order copy, plaint copy and written statement copy, sought to be marked is in relation to the suit in O.S. No. 72 of 2010 filed by the judgment debtor which was eventually dismissed for nonprosecution, they are not much relevant for deciding the execution proceedings. Therefore, this Court is not inclined to interfere with the impugned common order so far as it deals with dismissal of E.A. Nos. 1 to 3 of 2019 filed by the decree holder.

In the result, A.S. Nos. 162, 163 & 164 of 2021 are allowed setting aside the common orders dated 28.11.2019 and consequently, E.A. Nos. 213, 214 & 215 of 2016 shall stand dismissed. Whereas, C.R.P. Nos. 1062, 1075 & 1078 of 2021 are dismissed confirming the orders of the Executing Court in dismissing E.A. Nos. 1, 2 & 3 of 2019. Further, C.R.P. No. 1076 of 2021 stands allowed of in terms of findings in the appeals and the E.P. shall stand restored to its file. As the decree holder had already deposited the balance sale consideration way back in 2014, the Executing Court is directed to



take up the E.P. and shall dispose of the same on merits within a period of three months from the date of receipt of a copy of this order. No costs.



### **HON'BLE SRI JUSTICE SAMBASIVA RAO NAIDU**

**Acts/Rules/Case Law:** Order 39 Rule 1, 2 C.P.C. & Order 43 Rule 1(R) r/w Section 151 C.P.C.

**Case Details:** Shree Santosh Family Dhaba & Other Vs M/s Santosh Dhaba Exclusive in C.M.A.NOs.35, 38, 39, 40, 43, 44 AND 125 of 2023 ([Click here for full Judgment](#))

**Date of Judgment:** 28-08-2023.

**Facts:** The above mentioned Seven Civil Miscellaneous Appeals have been filed by 7 different appellants under Order 43 Rule 1(R) r/w Section 151 C.P.C. assailing the orders of learned XI Addl. Chief Judge, City Civil Court, Hyderabad in different Interlocutory Applications of different dates, where under, the Court below allowed those Applications filed by the respondents/plaintiffs under Order 39 Rule 1, 2 C.P.C. and granted temporary injunction restraining the respective respondents/defendants from advertising or in any manner using the Trade Mark "SANTOSH" or any other deceptively similar trade mark which is deceptively similar to the trade mark of the respondent/plaintiff. C.M.A.No.35 of 2023 has been filed under Order XLIII Rule 1(R) C.P.C. challenging the order dated 28-09-2022 in IA.No.802 of 2017 in OS.No.402 of 2017. C.M.A.No.38 of 2023 is filed against the order dated 28-09-2022 in IA.No.760 of 2017 in OS.No.429 of 2017. C.M.A.No.39 of 2023 is filed assailing the order dated 28-09-2022 in IA.No.805 of 2017 in OS.No.405 of 2017, C.M.A.No.40 of 2023 is filed against the order dated 28-09-2022 in IA.No.1197 of 2018 in OS.No.707 of 2018. C.M.A.No.43 of 2023 is filed assailing the order dated 28-09-2022 in IA.No.764 of 2017 in OS.No.433 of 2017. C.M.A.No.44 of 2023 is filed against the order dated 28-09-2022 in IA.No.804 of 2017 in OS.No.404 of 2017 and C.M.A. No.125 of 2023 is filed against the order dated 28-09-2022 in IA.No.806 of 2017 in OS.No.406 of 2017. All the Civil Miscellaneous Appeals are filed against the same respondent, who filed the above referred Interlocutory Applications and original suits before the trial Court and obtained temporary injunction to restrain the appellants from using the Trade Mark "Santosh Dhaba". Though different appeals are preferred, the question involved in all the appeals is one and the same, the common contentions have been raised and common arguments have been advanced. Therefore, I propose to dispose all the appeals under a common order.



**Held:** Therefore, from the facts and circumstances of the present situation, it is quite clear that the respondents being a prior user of the 'SANTOSH DHABA' since 1995 would show the development of their business in the name and style of 'SANTOSH DHABA' thereby established a prima facie case to have an injunction in their favor. The balance of convenience is also in favour of the respondent rather than the appellants herein. In view of the above stated circumstances, if an injunction sought for by the respondents is denied, definitely it will cause irreparable loss and it will affect not only the finance but also the reputation of the business established by the respondent/plaintiff. Therefore, the trial Court considered all the circumstances and granted interim injection which cannot be set aside on the grounds urged by the appellants herein. Therefore, all the appeals are liable to be dismissed.

In the result, C.M.A.Nos.35, 38, 39, 40, 43, 44 and 125 of 2023 are dismissed confirming the orders of trial Court in the respective Interlocutory Applications. The appellants have liberty to apply to the trial Court for grant of time to enable them to inform their customers of the new name.



### **HON'BLE SRI JUSTICE C.V.BHASKAR REDDY**

**Acts/Rules/Case Law:** Section 102 of Cr.P.C, & Articles 14 and 19 of the Constitution of India.

**Case Details:** Shainul Devani **Vs** State of Telangana, Rep. by the Principal Secretary, Home Department, Secretariat, Hyderabad and others **in** W P 15253 of 2023. ([Click here for full Judgment](#))

**Date of Judgment:** 10.08.2023.

**Facts:** It is the case of the petitioner that she was holding Savings Bank account with the respondent No.3-bank with Account No.333401502030, which has a balance of Rs.6,40,876.26/- and that she was doing regular transactions in the said account. It is further case of the petitioner that in the first week of August, 2020, when she was not allowed to operate her account, she enquired with the respondent No.3 and came to know that her account was frozen. It is further case of the petitioner that respondent No.3-bank gave her a copy of notice dated 05.08.2020 said to have been issued by the respondent No.2 to the respondent No.3-bank requesting to furnish the statement of account of the petitioner and also to freeze the said account for the purpose of



investigation in Crime No.681/2020 on the file of Miyapur Police Station, registered for the offences under Sections 420, 354, 363 and 506 of IPC. It is further case of the petitioner that neither she is concerned with the said crime nor she was arrayed as an accused in the said crime. The respondent No.2 without proper verification, has issued the impugned notice dated 05.08.2020 to the respondent No.3-bank and based on the said notice, the respondent No.3 froze the account of the petitioner, without informing the petitioner, which is contrary to law and principles of natural justice and violation of Articles 14 and 19 of the Constitution of India.

**Held:** On careful examination of the impugned notice dated 05.08.2020, this Court do not find that respondent No.2 has suspected that the bank account contains money which are alleged or suspected to have been stolen or which creates suspicion of commission of any offence. Further, in the counter affidavit filed by the respondent No.2, it is categorically stated that as per the information furnished by the accused, some bank accounts held in the name of the accused and their family members, were identified and to freeze those accounts, which includes the petitioner's account, the impugned notice was issued. Further, it was admitted that the police has also filed charge sheet wherein the petitioner was neither arrayed as an accused nor the petitioner's bank account was shown as crime property.

In view of the above circumstances, this Court is of the prima facie view that respondent No.2 without properly verifying the facts and in the absence of any material, came to conclusion that the bank account of the petitioner is required to be frozen as it creates suspicion of the commission of any offence and without even reporting the seizure of the bank account of the petitioner to the concerned Magistrate, the respondent No.2 has issued the impugned notice dated 05.08.2020. Since the respondent No.2 has not followed the procedure as contemplated under Section 102 of Cr.P.C, this Court is of the opinion that impugned notice dated 05.08.2020 issued by the respondent No.2 amounts to non-application of mind and accordingly, the same is liable to be set aside.

In the result, this Writ Petition is allowed and the impugned notice dated 05.08.2020 issued by the respondent No.2 is hereby set aside and the respondent No.3-bank is directed to defreeze the bank account of the petitioner, forthwith.



## HON'BLE SRI JUSTICE E.V.VENUGOPAL

**Acts/Rules/Case Law:** Section 482 Cr.P.C & Sections 138 and 142 of Negotiable Instruments Act, 1881.

**Case Details:** Sattar Ahmed and another **Vs** The State, rep. by the Public Prosecutor High Court, Hyderabad and another **in** Criminal Petition No.6371 of 2014 ([Click here for full Judgment](#))

**Date of Judgment:** 01.08.2023.

**Facts:** The facts in nutshell are that the second respondent is doing industrial copper wire business in the name and style of M/s.Pawan Electricals. M/s. Apex Weld Industries, a partnership firm was being run by three persons viz, Faiyaz Ahmed, Sattar Ahmed and Mukaram and they used to purchase material from the second respondent firm regularly on credit basis and were holding a running account with the second respondent firm. During the course of business, the petitioners and another being the partners of their firm M/s. Apex Weld Industries purchased industrial copper wire and became due an amount of Rs.2,55,598/- as on 29.09.2010. Upon persuasion for payment of the above amount, on behalf of the firm, the accused No.2, issued a cheque bearing No.289302 for Rs.1.00 lakh drawn on Axis Bank, Himayathnagar Branch, Hyderabad towards part payment of the outstanding amount. Thereupon, the second respondent deposited the said cheque in his bank for encashment on 19.03.2013 and 28.05.2013, but the same was returned unpaid by the bankers of the petitioners with an endorsement 'insufficient funds'. However, on request of the accused the second respondent once again presented the said cheque on 08.06.2013, but the result was the same. Hence, the second respondent got issued a demand legal notice on 24.06.2013 posted on 25.0.2013, but the same was returned by the postal authority with an endorsement 'left' on 27.06.2013. Therefore, having no other alternative to recover the amount from the accused, the second respondent lodged a private complaint before the trial Court under Sections 200 Cr.P.C. r/w Sections 138 and 142 of Negotiable Instruments Act, 1881, pendency of which proceedings are impugned in this criminal petition.

**Held:** Prima facie, the complainant averred that the petitioners herein are responsible for the day to day conduct of the business in the first accused firm sufficiently enough to take cognizance of the offence by the learned trial Court. So far as the burden of proof is concerned, the petitioners can demonstrate before the trial Court that they are not responsible for the day to day conduct of the business in the first accused firm to take the same into consideration and this Court sitting under Section 482 Cr.P.C is not inclined to go into that aspect.



However, the petitioners took a stand in the present petition that the cheque was given by the second accused in the name of the first accused firm and that the second accused is the signatory of the cheque and hence these petitioners should be exonerated from prosecution. But, as observed above, all the partners who are in active participation of the day to day business of the firm are vicariously responsible for the act done by the other accused. The onus is on the petitioners to prove that they are just figured as partners of the first accused firm but they are not looking after the day to day affairs of the partnership firm, which in the present case is lacking and that the petitioners have not discharged such burden.

So far as the other contention of the learned counsel for the petitioners that second respondent has not furnished the correct address and particulars of the petitioners in the cause title, as observed by the Hon'ble Supreme Court in Dilip Hariramani vs. Bank of Baroda(2022 SCC OnLine SC 579), lapse to make a proper mention in the cause title of the complaint would not by itself dis-entitle the complainant, who has a claim to make and who has entitlement to file a complaint against the partners of the firm.

Needless to observe that this Court has not gone into the aspect of whether the cheque was given in discharge of any legally enforceable debt or not; about the genuineness of the transactions between the parties and whether the second respondent has strictly complied with the other requisites contemplated under Section 138 of the N.I. Act, like presentation of the cheque within the statutory time and issuance of statutory notice upon dishonour of the cheque and filing of the complaint within the time. All these aspects are kept open and it is for the learned trial court to look into the matter during the course of trial and adjudication of the case.

In the light of the above discussion, this Court is of the considered view that the petitioners have not made out any ground much less any valid ground to quash the proceedings against the petitioners and accordingly, this criminal petition is liable to be dismissed.



**HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA**

**Acts/Rules/Case Law:** APS RTC Employees' (Conduct) Regulations, 1963.

**Case Details:** Smt Amrutamma Vs MD & Another TSRTC in WP 26966 of 2011 ([Click here for full Judgment](#))

**Date of Judgment:** 31-08-2023.



**Facts:** Seeking to quash the Award dated 17.02.2010 in I.D.No. 123 of 2009 on the file of the Labour Court-III, Hyderabad published on 27.04.2010, in so far as it relates to the portion of 'excluding the charged period till the death of the petitioner's late husband', the Writ Petition is filed.

Petitioner submits that her husband Sri T. Narsimhulu (herein after be referred to as 'the workman') worked as Conductor from 01.08.1986 till he was removed from service by the 2nd respondent vide order dated 12.07.2006 on the charge that he absented from duties from 05.03.2006 to 23.03.2006 and that he maintained irregular attendance. It is her case that on 16.11.2006, her husband died. Aggrieved by the order of removal, the petitioner raised I.D before the Labour Court-I which was transferred to Labour Court-III and it was re-numbered as I.D.No. 123 of 2009 to treat her husband as in service from the date of removal till the date of death with all attendant benefits and back wages as her husband remained unemployed during the said period. It is stated that after conducting enquiry, the Tribunal passed the Award impugned setting aside the order of removal dated 12.07.2006 and directing the respondents to count the service of the petitioner from the date of removal excluding the period of charged absence till his death ie. 16.11.2006 with all attendant benefits but without back wages.

**Held:** In the Award of the Labour Court, it is observed that ExM1 – Report of Sr. Traffic Inspector, Parigi discloses that the deceased was sick for some time before the date of charged unauthorised absence, Ex.M3 explanation to charge sheet revealed that the deceased underwent surgery on 18.01.2006 and was advised to take bed rest for two months, even after surgery; illness of the deceased did not cure and some side-effects ensued and the sickness and developed side-effects are probable to believe since they consumed the life of deceased on 16.11.2006, the charged absence is though unauthorised but not wilful or by negligence, hence, the punishment of removal is unjustified, while setting aside the order of removal, directed the respondents to count the service of the petitioner from the date of removal excluding the period of charged absence till his death.

Admittedly, the workman went on sick leave and soon after his undergoing surgery on 18.01.2006, he was advised bed rest and thereafter on 16.11.2006 he died due to ill-health. It is therefore, clear that the workman suffered severe health setback and he confined to bed till his death. In those circumstances and in view of the observation of the Labour Court that the charged absence is though unauthorised, not wilful nor by negligence, this Court taking lenient view, inclines to grant the relief prayed for by the petitioner.

The Writ Petition is therefore, allowed, directing the respondents to count the service of the workman from the date of removal till his death with all attendant benefits





payable to the petitioner but without back wages within a period of two months from the date of receipt of a copy of this order. No costs.



### **HON'BLE SRI JUSTICE PULLA KARTHIK**

**Acts/Rules/Case Law:** BURN STANDARD CO.LTD. AND OTHERS v. DINABANDHU MAJUMDAR AND ANOTHER ((1995) 4 SCC 172), Secretary & Commissioner, Home ... vs R. Kirubakaran (AIR 1993 SC 2647) & Karnataka Rural Infrastructure Development Limited v. T.P. Nataraja (2021 SCC OnLine SC 767).

**Case Details:** Pittala Satyanarayana Vs C & MD Singareni Collieries Co. Ltd., in WRIT PETITION No.35819 of 2015 ([Click here for full Judgment](#))

**Date of Judgment:** 24-08-2023.

**Facts:** The case of the petitioner, in brief, is that he was initially appointed on 04.04.1980 as Worker Trainee in GDK 8A Incline, Godavarikhani and subsequently he was promoted as General Mazdoor and transferred to GDK OCP III in RG-II on 03.12.1990 and since then he was discharging his duties till the date of retirement basing on the wrong entry of his date of birth in the service records. It is further averred that at the time of his appointment, his date of birth was recorded as 12.10.1959 by the respondent Organization, based on VIII Class Transfer Certificate. While so, he received reliable information from the office staff of the respondent Organization that his date of birth was altered without his knowledge and without issuing any notice to him. On coming to know the same, he made a representation on 14.12.2013 to respondent No.2 seeking correction of his date of birth in his service records. On receipt of the said representation, the second respondent vide letter dated 17.01.2015, while enclosing a copy of the proceedings dated 25.06.2009, stated that already the date of birth of the petitioner was fixed as 04.04.1955. Basing on the said wrong date of birth, he was forced to retire from services depriving him of four years of precious service. Immediately, the petitioner has approached this Court by filing a writ petition being W.P. No.22842 of 2014 questioning the proceedings dated 25.06.2009 and this Court disposed of the batch of Writ Petitions filed by the petitioner and also other similarly situated persons vide common order dated 31.03.2015 subjecting the petitioners to medical examination and also prescribed certain guidelines to the respondents for undertaking the process of such medical



examination. Pursuant to the said common order dated 31.03.2015 passed in W.P. No.22842 of 2014 & batch, the respondents got conducted medical examination of the petitioner on 03.07.2015 and he also appeared before the Apex Medical Board on 14.07.2015 where he was examined contrary to the direction of this Court issued in W.P. No.22842 of 2014 & batch to examine the petitioners scientifically. The Apex Medical Board, without considering the documents produced by the petitioner, confirmed the age of the petitioner as '60' years as on 14.07.2015. Aggrieved by the same, the present writ petition is filed.

**Held:** In BURN STANDARD CO.LTD. AND OTHERS v. DINABANDHU MAJUMDAR AND ANOTHER ((1995) 4 SCC 172), the Hon'ble Supreme Court at para 10 held as under:

*Entertainment by High Courts of writ applications made by employees of the Government or its instrumentalities at the fag end of their services and when they are due for retirement from their services, in our view, is unwarranted. It would be so for the reason that no employee can claim a right to correction of birth date and entertainment of such writ applications for correction of dates of birth of some employees of Government or its instrumentalities will mar the chances of promotion of their juniors and prove to be an undue encouragement to the other employees to make similar applications at the fag end of their service careers with the sole object of preventing their retirements when due. Extraordinary nature of the jurisdiction vested in the High Courts under Article 226 of the Constitution, in our considered view, is not meant to make employees of Government or its instrumentalities to continue in service beyond the period of their entitlement according to dates of birth accepted by their employers, placing reliance on the so-called newly-found material.*

The Hon'ble Supreme Court in Secretary & Commissioner, Home ... vs R. Kirubakaran (AIR 1993 SC 2647), has held that request for rectification of date of birth has to be made at the earliest point of time. The law laid down in Kirubakaran's (referred supra) has also been followed by the Apex Court in its several other subsequent judgments. Relevant observations of the Hon'ble Supreme Court in Kirubakaran's case (referred supra) are as under:

*"An application for correction of the date of birth should not be dealt with by the Tribunal or the High Court keeping in view only the public servant concerned. It need not be pointed out that any such direction for correction of the date of birth of the public servant concerned has a chain reaction, inasmuch as others waiting for years, below him for their respective promotions are affected in this process. Some are likely to suffer irreparable injury, inasmuch as, because of the correction of the date of birth,*



*the officer concerned, continues in officer, in some cases for years, within which time many officers who are below him in seniority waiting for their promotion, may lose the promotion for ever. Cases are not unknown when a person accepts appointment keeping in view the date of retirement of his immediate senior. According to us, this is an important aspect, which cannot be lost sight of by the Court or the Tribunal while examining the grievance of a public servant in respect of correction of his date of birth. As such, unless a clear case on the basis of materials which can be held to be conclusive in nature, is made out by the respondent, the Court or the Tribunal should not issue a direction, on the basis of materials which make such claim only plausible. Before any such direction is issued, the court or the Tribunal must be fully satisfied that there has been real injustice to the person concerned and his claim for correction of date of birth has been made in accordance with the procedure prescribed, and within the time fixed by any rule or order. If no rule or order has been framed or made, prescribing the period within which such application has to be filed, than such application must be filed within the time, which can be held to be reasonable. The application has to produce the evidence in support of such claim, which may amount to irrefutable proof relating to his date of birth. Whenever any such question arises, the onus is on the applicant, to prove about the wrong recording of his date of birth, in his service book. In many cases it is a part of the strategy on the part of such public servants to approach the Court or the Tribunal on the eve of their retirement, questioning the correctness of the entries in respect of their dates of birth in the service books. By this process, it has come to the notice of this Court that in many cases, even if ultimately their applications are dismissed, by virtue of interim orders, they continue for months, after the date of superannuation. The Court or the Tribunal must, therefore, be slow in granting an interim relief for continuation in service, unless prima facie evidence of unimpeachable character is produced because if the public servant succeeds, he can always be compensated, but if he fails, he would have enjoyed undeserved benefit of extended service and merely caused injustice to his immediate junior.”*

Further, the Hon’ble Supreme Court in its latest decision in Karnataka Rural Infrastructure Development Limited v. T.P. Nataraja (2021 SCC OnLine SC 767) , held as under:

“22. Considering the aforesaid decisions of this Court the law on change of date of birth can be summarized as under:

- (i) application for change of date of birth can only be as per the relevant provisions/regulations applicable;
- (ii) even if there is cogent evidence, the same cannot be claimed as a matter of right;



(iii) application can be rejected on the ground of delay and latches also more particularly when it is made at the fag end of service and/or when the employee is about to retire on attaining the age of superannuation.”

In the case on hand, admittedly, the petitioner has raised objection only in the year 2013 and except making a bald statement that he was not put on notice, no other specific reasons are forthcoming for the delay on his part. Thus, viewed from any angle, this Court does not find any merit in the present writ petition and the same is liable to be dismissed.



### HON'BLE SRI JUSTICE K. SARATH

**Acts/Rules/Case Law:** C.P.C & Evidence Act

**Case Details:** Katepally Chandra Sekhar Vs Katepally Sharat Chandra and four others *in CRP 1218 of 2023.* ([Click here for full Judgment](#))

**Date of Judgment:** 24.08.2023.

**Facts:** The Civil Revision Petition is filed by the petitioner aggrieved by the order dated 10.04.2023 passed in I.A.No.370 of 2022 in O.S.No.43 of 2022 by the Junior Civil Judge-cum-Judicial Magistrate of First Class, Nidamanoor, whereunder the petition filed by the respondent No.1/plaintiff under Section 45 of the Evidence Act was allowed.

**Held:** The issue of directing to undergo for DNA Test is considered by the Hon'ble Supreme Court in number of cases and the Judgment relied by the learned Counsel for the petitioner apply to the instant case.

In Ashok Kumar Vs. Raj Gupta and others ((2022) 1 SCC 20) the Hon'ble Supreme Court at para Nos.11,18 and 19 held as follows:

*“11. In circumstances where other evidence is available to prove or dispute the relationship, the Court should ordinarily refrain from ordering blood tests. This is because such tests impinge upon the right of privacy of an individual and could also have major societal repercussions. Indian law leans towards legitimacy and frowns upon bastardy. The presumption in law of legitimacy of a child cannot be lightly repelled. 18. Having answered these questions, an additional issue to be resolved is whether refusal to undergo DNA testing amounts to “other evidence” or in other words, can an adverse inference be drawn in such situation. In Sharda Vs. Dharmपाल a three-Judge Bench in the opinion written by S.B.Sinha, J. rightly observed in Para No.79 that*



*“if despite an order passed by the Court, a person refuses to submit himself to such medical examination, a strong case for drawing an adverse inference” can be made out against the person within the ambit of Section 114 of the Evidence Act. The plaintiff here has adduced his documentary evidence and is disinclined to produce further evidence. He is conscious of the adverse consequences of his refusal but is standing firm in refusing to undergo the DNA Test. His suit eventually will be decided on the nature and quality of the evidence adduced. The issue of drawing adverse inference may also arise based on the refusal. The Court is to weigh both sides’ evidence with all attendant circumstances and then reach a verdict in the suit and this is not the kind of case where a DNA Test of the plaintiff is without exception. 19. The respondent cannot compel the plaintiff to adduce further evidence in support of the defendants’ case. In any case, it is the burden on a litigating party to prove his case adducing evidence in support of his plea and the Court should not compel the party to prove his case in the manner, suggested by the contesting party”.*

In *Aparna Ajinkya Firodia Vs. Ajinkya Arun Firodia*(2023 SCC Online SC 161) the Hon’ble Supreme Court at para No.59 held as follows:

*“59. This Court has, while considering questions connected with Section 112 of the Evidence Act, consistently expressed the stand against DNA Tests being ordered on a mere asking. Further, the law does not contemplate use of DNA Tests as exploratory or investigatory experiments for determining paternity”.*

*(emphasis added)*

In view of the above judgments, it is a settled law that where other evidence is available to prove or dispute the relationship, the Court should ordinarily refrain from ordering blood tests. The parties cannot be compelled to undergo DNA test in support of the other side evidence and the Court cannot ask for DNA test mere filing of petition without any proper evidence to establish their case and the impugned orders passed by the Court below in I.A.No.370 of 2022 in O.S.No.43 of 2022 is liable to be set aside.

In view of the above findings, the Civil Revision Petition is allowed by setting aside the impugned Order dated 10.04.2023 passed in I.A.No.370 of 2022 in O.S.No.43 of 2022 on the file of Junior Civil Judge, Nidmanoor and the Court below is directed to dispose of the main suit, within six (6) months from the date of the receipt of copy of the order. There shall be no order as to costs.



## HON'BLE SRI JUSTICE J. SREENIVAS RAO

**Acts/Rules/Case Law:** ID Act, 1947 & CPC.

**Case Details:** Premsingh Vs The General Manager (Retail) South, Bharath Petroleum Corporation Ltd., in WRIT PETITION No.29710 OF 2011. ([Click here for full Judgment](#))

**Date of Judgment:** 31.08.2023.

**Facts:** The petitioner was appointed as Generator Operator in respondent No.1 establishment on 11.01.1982 and he was suspended on 29.12.1998 pending enquiry. Respondent No.1 issued charge sheet dated 12.06.1999 with the following charges. I. that the applicant has demanded illegal gratification ranging from Rs. 50/- to 100/- per tank lorry for every unload and loading. II. demanded Rs.500/- for every tank lorry in every month for several years. III. on the report of operation audit of Nizamabad Depot it is revealed that you have colluded with Sri. Rama Krishna, Senior Operation Officer of Nizamabad Depot as well as Balasumiah (field) in unloading /directing tank Lorries with an intention in serving illegal gratification from PCVO's (Private Contract Vehicle Operation). iv. the above would reveals that you have scant respect to the interest of Company rules and therefore charged under the following clauses extract them from the charges;

The petitioner submitted his explanation to the above charges and being not satisfied with the same, respondent No.1 appointed an enquiry officer to conduct enquiry and the enquiry officer after conducting bonafide enquiry, submitted the enquiry report. Respondent company issued notice calling explanation from the petitioner by enclosing a copy of the enquiry report as to why the punishment of dismissal cannot be imposed against him, after receiving the explanation from the petitioner, the disciplinary authority dismissed the petitioner from services by its order dated 05.11.2003. Aggrieved by the same, the petitioner raised the dispute invoking the provisions of Section 2 (A)-2 of the ID Act, 1947.

**Held:** It is already mentioned above that the objections raised by the petitioner is purely procedural and technical and no prejudice is going to be caused to the petitioner by virtue of the impugned order dated 14.09.2011 passed by the Court below. It is the settled proposition of the law that while exercising the powers conferred under Article 226 and 227 of Constitution of India, the technical and procedural lapses will not come in the way to render substantial justice to the parties. The Labour Court has rightly passed the impugned order dated 14.09.2011 and allowed the application by setting aside the ex-parte order. Therefore, this Court do not find any illegality, irregularity or jurisdictional error in the impugned order. It is also relevant to mention here that after



going through the records, it reveals that respondent No.1 also not diligently prosecuted the matter. In such circumstances, the Labour court ought to have imposed more costs instead of imposing meager amount of Rs.500/-.

For the reasons mentioned above, the impugned order dated 14.09.2011 passed by Labour Court is upheld subject to payment of costs of Rs.10,000/- in addition to Rs.500/- as directed by the Labour Court to the petitioner within a period of one(1) week from the date of receipt of a copy of this order. It is needless to observe that the petitioner raised the dispute before the Labour Court in the year 2006, questioning the termination order passed by respondent No.1 and the same is pending. In view of the same, the Labour court is directed to pass appropriate orders, in accordance with law, in respect of the validity of the domestic enquiry within a period of four (4) weeks from the date of receipt of a copy of this order after giving opportunity to both the parties and also to decide the main L.C.I.D.No.146 of 2006, as expeditiously as possible preferably within a period of six (6) months.



### **HON'BLE SRI JUSTICE NAMAVARAPU RAJESWAR RAO**

**Acts/Rules/Case Law:** Sections 415 and 420 IPC.

**Case Details:** Soyam Krishna Vs The State of Telangana in CRIMINAL REVISION CASE No. 118 OF 2015 ([Click here for full Judgment](#))

**Date of Judgment:** 22-09-2023.

**Facts:** The revision petitioner, his father and the de-facto complainant are residents of Thosham village and their houses are situated adjacent to each other, and are close relatives. The revision petitioner is a student and pursuing his graduation. He used to call the de-facto complainant daily to his house for watching TV and used to tell love stories to her and as usual, in the month of June 2007, he called the de-facto complainant to his house in the absence of his family members and with a false promise to marry her, had sexual intercourse with her and then onwards he continued the same for four or five occasions. Later, the de-facto complainant was taken to the hospital by her mother, where the doctor informed that she was carrying 6th month pregnancy, on which her mother questioned her as to who was responsible for the pregnancy and the de-facto complainant informed her that the petitioner is responsible for the same and he refused to marry her and thus cheated and deceived her. The father of the petitioner warned the de-facto complainant to take Rs.50,000/-



from him and get the pregnancy aborted but she denied the same and lodged the complaint with the police. Thus, upon registering the crime and investigating into the matter, the police filed a chargesheet against the petitioner and his father and the Trial Court took cognizance.

In support of the prosecution case, PWs.1 to 9 were examined and Exs.P-1 to P-9 were got marked. No evidence was adduced on behalf of the accused.

On appreciating the material on record, the Trial Court found the accused guilty of the charged offences and convicted and sentenced the accused as stated supra.

Aggrieved thereof, the accused preferred the above criminal appeal before the learned Sessions Judge, and the learned Sessions Judge was pleased to acquit the petitioner's father, whereas, confirmed the conviction and sentence imposed on the petitioner. Aggrieved further, the petitioner is challenging the said judgments before this Court.

**Held:** This court, having considered the rival contentions of both learned Counsel, is of the considered view that the reasons assigned by the learned Sessions Judge would reveal that the learned Sessions Judge found that there was no specific promise of marriage from the side of the revision petitioner. At this juncture, it is appropriate to extract Sections 415 and 420 IPC. Section 415 IPC is already extracted supra.

**Cheating is defined in section 415 of the IPC. Section 420 lays down the punishment for aggravated forms of cheating where the offender dishonestly induces a person so deceived to deliver any property or interfere with any valuable security. In other words, Section 420 specifically punishes aggravated cases of cheating. Any act of cheating, whether fraudulently or dishonestly, is punishable under Section 417. In contrast, Section 420 specifically punishes a case where cheating is done by dishonest inducement and its subject matter is property or valuable security. Under this section, the person so deceived is**

**1. Either induced to deliver any property to some other person, or**

**2. Make, alter or destroy**

**1. The whole or any part of valuable security, or**

**2. Something that is signed, sealed and is capable of being converted into a valuable security**

**3. A guilty intention must exist at the time of inducement or of delivery of property. Here, it is essential to prove that the parting of the property is by virtue of dishonest**





**inducement of the accused. Moreover, the delivered property has to be of some monetary value to the person who has been cheated.**

The very ingredient which is necessary for the purpose of attributing section 415 and 420 of the IPC is that there must be a promise or deceit made to the victim by the accused. In the present case, despite the learned Sessions Judge finding that there was no specific promise of marriage made by the revision petitioner, the learned Sessions Judge upheld the conviction of the revision petitioner based on assumptions and presumptions as to his subsequent mindset and attitude. Further, the decision relied upon by the counsel for the revision petitioner is applicable to the present case as even in the present case, there is no intention of cheating the de-facto complainant at the beginning. The above observations are enough to hold that the prosecution failed to prove the guilt of the revision petitioner beyond all reasonable doubt. Therefore, the conviction and sentence imposed on the revision petitioner must be set-aside.

Accordingly, the criminal revision case is allowed. The judgment dt.27.01.2015 passed by the I Additional Sessions Judge, Adilabad, in Criminal Appeal No.77 of 2012, wherein and where under, the learned Sessions Judge confirmed the judgment dt.31.07.2012 passed by the Judicial First Class Magistrate, Adilabad, in C.C No.281 of 2009 against the revision petitioner/accused No.1 are hereby set-aside and the revision petitioner is acquitted of the said offences. **However, it is made clear that if the de facto complainant/victim needs any maintenance for her family (if she leading life without any 2nd marriage) from the revision petitioner, the revision petitioner shall provide the same without taking the advantage of this judgment. If he fails to do so, the de facto complainant/victim is at liberty to take necessary steps against the revision petitioner.** The bail bonds of the petitioner shall stand cancelled. Fine amount, if any paid, shall be returned to the revision petitioner, after the expiry of appeal period.



**HON'BLE SRI JUSTICE LAXMINARAYANA ALISHETTY**

**Acts/Rules/Case Law:** SARFAESI Act.

**Case Details:** M/s. SLS Properties, rep.by its Partner, Pailla Shekar Reddy Vs The State of Telangana, rep.by its Principal Secretary, Commercial Tax Department, Secretariat, Hyderabad and others in W P 9272 of 2023. ([Click here for full Judgment](#))

**Date of Judgment:** 17.08.2023.

**Facts:** The instant writ petition is filed by the petitioner seeking following relief:



*“... to issue an appropriate writ, order or direction, more particularly, on in the nature of writ of mandamus declaring the action of the respondents in not refunding the security deposit amount of Rs.3,28,41,795/-, as illegal, arbitrary, un-constitutional, violate of principles of natural justice and to direct the respondents to refund the security deposit amount, which was deposited before this Court along with interest to the petitioner.”*

**Held:** It is relevant to refer to the judgment of Division Bench of Hon’ble High Court of Bombay passed in State Bank of India vs. State of Maharashtra and others,( 2020 SCC Online Bom 4190) wherein, the division bench in similar circumstances by referring to the decisions of Bank of Baroda vs. Commissioner of Sales Tax, M.P. Indore and another (2018) 55 GSTR 210 (MP); Assistant Commissioner vs. Indian Overseas Bank and others ( AIR 2017 Madras 67); Kalupur Commercial Co-operative Bank Ltd., Vs. State of Gujarat (2019 SCC Online Gujarat 1892), at paragraph 35 had held as under:

*“35. In this view of the matter, though it would not be necessary for us to deal with the contention of the respondents relating to the date of effectiveness of section 26-E of the SARFAESI Act, however, we are of the view that even if section 26-E was effective only prospectively from 24th January, 2020 and not applicable to the facts at hand, that would not make any difference, as according to us section 31-B of the RDB Act itself would be sufficient to give priority to a secured creditor over the respondent’s charge for claiming tax dues.”*

In Kalupur (supra), the Division Bench of Ahmedabad High Court at paras 57 & 58 held as under:

*“57. While it is true that the Bank has taken over the possession of the assets of the defaulter under the SARFAESI Act and not under the RDB Act, Section 31B of the RDB Act, being a substantive provision giving priority to the “secured creditors”, the same will be applicable irrespective of the procedure through which the recovery is sought to be made. This is particularly because Section 2(la) of the RDB Act defines the phrase “secured creditors” to have the same meaning as assigned to it under the SARFAESI Act. Moreover, Section 37 of the SARFAESI Act clearly provides that the provisions of the SARFAESI Act shall be in addition to, and not in derogation of inter-alia the RDB Act. As such, the SARFAESI Act was enacted only with the intention of allowing faster recovery of debts to the secured credits without intervention of the court. This is apparent from the Statement of Objects and Reasons of the SARFAESI Act. Thus, an interpretation that, while the secured creditors will have priority in case they proceed under the RDB Act they will not have such priority if they proceed under the SARFAESI Act, will lead to an absurd situation and, in fact, would frustrate the object of the SARFAESI Act which is to enable fast recovery to the secured creditors.*



*58. The insertion of Section 31B of the RDB Act will give priority to the secured creditors even over the subsisting charges under other laws on the date of the implementation of the new provision, i.e. 01.09.2016. The Supreme Court, in the case of State of Madhya Pradesh v. State Bank of Indore, (2001) 126 STC 1 (SC), has held that a provision creating first charge over the property would operate over all charges that may be in force. The following observations made in para 5 of the said judgment are relevant:*

*“5. Section 33-C creates a statutory charge that prevails over any charge that may be in existence. Therefore, the charge thereby created in favour of the State in respect of the sales tax dues of the second respondent prevailed over the charge created in favour of the bank in respect of the loan taken by the second respondent. There is no question of retrospectivity here, as on the date when it was introduced, section 33-C operated in respect of all charge that were then in force and gave sales tax dues precedence over them...”*

In Indian Overseas Bank (supra), Full Bench of Madras High Court held as under: “3. There is, thus, no doubt that the rights of a secured creditor to realise secured debts due and payable by sale of assets over which security interest is created, would have priority over all debts and Government dues including revenues, taxes, cesses and rates due to the Central Government, State Government or Local Authority. This section introduced in the Central Act is with “notwithstanding” clause and has come into force from 01.09.2016.”

The sequence of events, facts of the case in State Bank of India vs. State of Maharashtra (supra) and present are identical i.e., prior charge of secured creditor, notice of attachment by tax department prior to effective date of section 26E, SARFAESI, but after insertion of Section 31B of RDB Act; auction of property in the interregnum period. Therefore, in the facts and circumstances of case, we are in respectful agreement with the view taken by the Division Bench of High Court of Bombay. 36. The borrower / 3rd respondent availed credit facilities from Andhra Bank and created charge over the property vide Mortgage Deed No.1779/2010 dated: 2010, whereas, the respondent no.2 initiated measures under the Act, 2002 for sale of subject property and issued demand notice on 12.01.2018, which is subsequent to insertion of Section 31-B to RDB Act and, therefore, the charge of secured creditor has priority over the attachment of Tax Department.

It is relevant to refer the common order dated 26.12.2018 passed by Hon’ble Division Bench of this Court in W.P.No.31410 & 39499 of 2018. At paragraph-9 of the order, Hon’ble Division Bench made it clear that the challenge of auction purchaser to the order of attachment is not maintainable and further observed that an order of attachment can be challenged only by the assessee or by the person in whose hands



the sale proceeds of the properties lie and concluded that the prayer made by the auction purchaser

Further, at paragraph no.10 of the order, Hon'ble Division Bench observed that if at all the assessee or the mortgagee challenges the order of attachment and succeed, it is open to them to come back at that time asking for payment of Rs.3,28,41,795/- deposited with the Registrar (Judicial) of this Court. Therefore, the petitioner does not have locus standi to seek refund of the amount.

Accordingly, point no. (ii) answered against the petitioner. For the aforesaid reasons, the Writ Petition fails and is accordingly dismissed.



### **HON'BLE SMT. JUSTICE K. SUJANA**

**Acts/Rules/Case Law:** V.Chandrasekaran and Another Vs. Administrative Officer and Others ((2012) 12 SCC 133).

**Case Details:** Bellamkonda Upender Vs District Collector Nalgonda in APPEAL SUIT No.998 OF 2017 ([Click here for full Judgment](#))

**Date of Judgment:** 15-09-2023.

**Facts:** The brief facts of the case are that Sri Bellamkonda Upender and Sri Padam Sriramulu (hereinafter referred as 'appellants herein') who are claimant Nos.7 and 8, respectively, in L.A.O.P.No.176 of 2012 are the owners, possessors and pattedars of agricultural land admeasuring Ac.01.30¾ guntas in Survey No.39 of Bhagayath Bhongir, Bhongir Mandal, Nalgonda District. The appellants herein purchased the said land through two registered sale deeds vide document Nos.4096/2010 and 4097/2010 of SRO, Bhongir, from its original pattedars by names Sri Akula Janardhan, Sri Akula Sudershan and Sri Akula Dwarakanath – claimant Nos.2, 4 and 5 in L.A.O.P.No.176 of 2012. Ever since the date of purchase, the appellants herein were in peaceful possession and enjoyment of the purchased land and were absolute owners of the said land. The said two registered sale deeds were implemented in the revenue records and the revenue authorities issued the ROR pattedar passbooks and title deeds comprising of Ac.00.19¾ guntas each, since the remaining Ac.00.30¾ guntas of land was acquired by Revenue Divisional Officer Cum Land Acquisition Officer, Bhongir (hereinafter referred as 'respondent No.2 therein') for laying National Highway Road 202.



The respondent No.2 therein passed an Award dated 28.08.2010 through which he acquired dry land from claimant Nos.1 to 5 therein admeasuring 5159.7465 Sq.mts in Survey No.39 for which an amount of Rs.30,66,970.00/- was awarded. Out of the above stated acquired land, the land of appellants herein, works out to be 3095.8479 Sq.mts which is equivalent to Ac.00.30¾ guntas over which they were entitled for compensation amount of Rs.18,40,182.00/-. Accordingly they filed application claiming compensation for their share of land which was acquired by respondent No.2 therein but the respondent No.2 therein advised them to get recorded the statements of claimant Nos.2, 4 and 5 (hereinafter referred as 'vendors of appellants herein') who were vendors of appellants herein, admitting that they have no objection if the awarded amount gets released to appellants herein. Accordingly, Tahsildar, Bhongir - respondent No.3, recorded the statements of vendors of appellants herein, but in spite of that, respondent No.2 therein, did not release the amount awarded to appellants herein stating that one claimant No.6 - Smt Nayakam Susheelamma, filed an objection petition. Thereupon, the appellants herein filed W.P.No.19808 of 2011 before the High Court of Judicature, Andhra Pradesh, at Hyderabad, seeking relief to direct the respondent No.2 and 3 therein to pay the compensation amount to petitioners therein who are claimant Nos.7 and 8 in L.A.O.P., in respect of their land acquired to the extent of Ac.00.30¾ guntas in Survey No.39 of Bhongir Revenue Village and Mandal, Nalgonda District.

Going through the order passed in W.P.No.19808 of 2011 it is noted that after the Award was passed fixing compensation, as no person claimed the compensation, the same was deposited in revenue account by respondent No.2. Thereafter, the appellants herein approached respondent No.2 claiming the compensation on the lands acquired for the purpose of road widening of Highway No.202. However, other claimants did not file any claim petition and no counter was filed by the Government to contest the case of claimants therein. Further, it was noticed that a person named Smt Nayakam Suseelamma made representation claiming that she is entitled for compensation over the lands acquired. The High Court vide order dated 15.11.2011 directed the respondent No.2 therein to refer the dispute relating to the person who are entitled to receive the compensation in respect of Ac.00.30¾ guntas of Survey No.39 of Bhagayath Bhongir Village, Bhongir Town and Mandal, Nalgonda District, to the competent Civil Court, within a period of two months. As such, they filed L.A.O.P.No.176 of 2012 in the District Court, Nalgonda.

In L.A.O.P.No.176 of 2012 on behalf of appellants herein, PW.1 and PW.2 were examined and Ex.A1 and Ex.A2 – certified copies of two registered sale deeds dated 03.11.2010 were marked. There was no evidence adduced on behalf of the Government. There was no dispute regarding the fact that the Government acquired the said land for the purpose of widening the State Highway and in the said process,



the respondent No.2 therein also issued notices to Akula Janardhan, Akula Sudershan, Akula Dwarakanath, Akula Vidyavathi, Akula Ramakrishna, Nayakam Susheelamma, Bellamkonda Upendar and Padam Sriramulu for their claim, if any, in respect of land acquired by the Government in Survey No.39 of Bagayath Bhongir, Bhongir Revenue Village and Mandal, Nalgonda District. Subsequently, Akula Sudershan filed a claim petition before the RDO/Land Acquisition Officer, Bhongir, who advised him to establish his right over the acquired land. As such, claimant Nos.7 & 8 filed a writ petition in the High Court. The High Court directed the Government to refer the matter to the Civil Court, as such, the Government deposited the amount in Civil Court. In the impugned judgment, the trial Court observed that there are discrepancies in the survey numbers and the property was purchased after issuance of land acquisition notice, as such, dismissed the L.A.O.P. However, being aggrieved by the judgment and decree in the said L.A.O.P., the claimant Nos.7 and 8 filed this appeal.

**Held:** On going through the material placed on record and having regard to the submissions made, it is noted that Ex.A1 and Ex.A2 clearly proves that the appellants herein purchased the property from the original owners. After issuance of notices to the original land owners and after acquiring the land for the purpose of releasing the compensation amount in favor of appellants herein, their vendors were supposed to record a statement admitting no objection if the awarded amount gets released in favour of appellants herein. Accordingly, the statements of vendors of appellants herein were recorded and the Government also had no objection if there is no claim over the said property. However, a person by name Smt Nayakam Suseelamma who made a representation claiming that she is entitled to receive compensation over the land acquired for the purpose of widening Highway Road No.202 who was also made a party in L.A.O.P.No.176 of 2012 has not contested the case and no material was filed on her behalf. With regard to the contention that the survey numbers were not tallying, the Court is informed that the same was due to sub division of land, as a result of which the survey numbers were mentioned as 39/A/1, 39/A/3 & 39/A/4 instead of original survey No.39. As the original owners of the land in survey No.39, Bhongir Revenue Village gave no objection for releasing the compensation amount to these appellants and the appellants also clarified about the sub-division of survey numbers.

The Hon'ble Apex Court in the judgment rendered in V.Chandrasekaran and Another Vs. Administrative Officer and Others ((2012) 12 SCC 133) held as under:

*"18. In view of the above, the law on the issue can be summarised to the effect that a person who purchases land subsequent to the issuance of a Section 4 notification with respect to it, is not competent to challenge the validity of the acquisition proceedings on any ground whatsoever, for the reason that the sale deed executed in his favour*



*does not confer upon him, any title and at the most he can claim compensation on the basis of his vendor's title."*

In view of the observation in the above case, after issuance of land acquisition notice, the subsequent purchaser shall not be entitled to question the acquisition but can claim the compensation. In the present case, the appellants are claiming compensation only, as such, dismissal of their claim is not correct.

In view of the above discussion, the appeal is liable to be allowed. Accordingly, the appeal is allowed, setting aside the judgment and decree in L.A.O.P.No.176 of 2012 dated 17.04.2017. Appellants/claimant Nos.7 & 8 are entitled for compensation amount of Rs.18,40,182.00/- as awarded by the Land Acquisition Officer, equally.





**SANCTIONED STRENGTH, WORKING STRENGTH, AND VACANCY POSITION OF  
HON'BLE JUDGES OF THE HIGH COURT FOR THE STATE OF TELANGANA  
AS ON 30.09.2023**

Hon'ble Judges	Sanctioned Strength	Total Working Strength	Total Number of Vacancies
Permanent	32	25	7
Additional	10	5	5
<b>Total</b>	<b>42</b>	<b>30</b>	<b>12</b>

- Hon'ble Sri Justice Ujjal Bhuyan, Judge, High Court for the State of Telangana, who was appointed as Chief Justice, High Court for the State of Telangana, sworn-in and assumed charge as such on 28-06-2022 F.N. Subsequently elevated as Judge, Supreme Court of India and assumed charge as such on 14-07-2023 F.N.
- Hon'ble Sri Justice P.Naveen Rao, Senior-most Judge of this High Court is appointed to perform the duties of the office of Chief Justice of this High Court on 14-07-2023 F.N. and retired on 14-07-2023 A.N.
- Hon'ble Sri Justice Abhinand Kumar Shavili, Senior-most Judge of this High Court is appointed to perform the duties of the office of Chief Justice of this High Court on 15-07-2023 F.N. and continued as such till 22-07-2023 A.N.
- Hon'ble Sri Justice P.Sam Koshy, Judge of Chhattisgarh High Court is appointed as Judge of this High Court and assumed charge as such on 19-07-2023 F.N.
- Hon'ble Sri Justice Alok Aradhe, Judge of the Karnataka High Court is appointed as Chief Justice of this High Court and assumed charge as such on 23-07-2023 F.N.
- Two (2) Hon'ble Judges from BAR have been appointed as Additional Judges of this High Court and assumed charge as such on 31-07-2023 F.N. (LNAJ & JAKJ) and one (1) Hon'ble Judge (SKSJ) from Service has been appointed as Additional Judge of this High Court and assumed charge as such on 31-07-2023 F.N.
- One Permanent Hon'ble Judge of this High Court was appointed to perform the duties of the office of the Chief Justice of Tripura High Court from 11-11-2022 to 14-02-2023 and again appointed to perform the duties of the office of the Chief Justice of Tripura High Court w.e.f. 23-02-2023 to 16-04-2023 (TAJ).





- One Permanent Hon'ble Judge of this High Court who was transferred as Judge of High Court of Punjab and Haryana on 12-10-2021, subsequently, elevated and assumed charge as, Chief Justice of Himachal Pradesh High Court on 30-05-2023 (MSRJ).
- One permanent Hon'ble Judge of High Court of A.P. is working in this High Court w.e.f. 15-11-2021 was transferred as Judge of Karnataka High Court and assumed charge as such on 28-07-2023 (LKJ).
- One Permanent Hon'ble Judge of this High Court is working as Judge of Patna High Court w.e.f. 14-05-2023 (AARJ).
- One Permanent Hon'ble Judge of this High Court is working as Judge of High Court of Madras w.e.f. 06-04-2023 (Dr.DNRJ)



**Disclaimer:** Above statements are compiled on the basis of figures & Information received from the respective Registry.





## STATEMENT OF WORK DONE IN THE HIGH COURT AS ON 30.09.2023

NATURE OF CASES	PENDING AT THE BEGINNING OF THE MONTH I.E., AS ON 30.09.2023	INSTITUTIONS FROM 01.7.2023 TO 30.09.2023	DISPOSALS FROM 01.7.2023 TO 30.09.2023	PENDENCY AS ON 30.09.2023
<b>(A) ORIGINAL SIDE (CIVIL)</b>	151477	11696	10742	152431
<b>(B) APPELLATE SIDE (CIVIL)</b>	54800	2509	3553	53756
<b>(C) CRIMINAL SIDE</b>	31256	4414	5701	29969

### GRAND TOTAL:

<b>GRAND TOTAL OF CIVIL CASES</b>	<b>206277</b>	<b>14205</b>	<b>14295</b>	<b>206187</b>
<b>GRAND TOTAL OF CRIMINAL CASES</b>	<b>31256</b>	<b>4414</b>	<b>5701</b>	<b>29969</b>
<b>GRAND TOTAL OF MAIN CASES</b>	<b>237533</b>	<b>18619</b>	<b>19996</b>	<b>236156</b>



**Disclaimer:** Above statements are compiled on the basis of figures & Information received from the respective Registry.





**SANCTIONED STRENGTH, WORKING STRENGTH, AND VACANCY POSITION OF JUDICIAL OFFICERS IN THE STATE OF TELANGANA AS ON 30.09.2023**

S.No	Cadre Strength	Sanctioned Strength	Total Number of Judicial Officers Working	Total Number of Vacancies
1.	District Judges	173	120	53
2.	Senior Civil Judges	142	107	35
3	Junior Civil Judges	245	182	63
<b>TOTAL</b>		<b>560</b>	<b>409</b>	<b>151</b>

**DISTRICT JUDGE (ENTRY LEVEL) UNDER DIRECT RECRUITMENT FOR THE YEAR 2023:**

**Notified For the year 2023:**

The High Court for the State of Telangana has placed a notification on 25-01-2023 notifying Eleven (11) vacancies in the cadre of District Judge (Entry Level) to be filled by direct recruitment (under 25% quota) for the year 2023.

On receipt of the applications from the candidates, the Government forwarded 599 applications to the High Court; that the written examination consisting of paper I (Civil Law), Paper II (Criminal law), Paper III English (Translation Essay writing and Grammar vocabulary) was conducted on 22-07-2023 and 23-07-2023 at Hyderabad. Further Recruitment Process is in progress.

**DISTRICT JUDGE (ENTRY LEVEL) UNDER ACCELERATED RECRUITMENT BY TRANSFER FOR THE YEAR 2023:**

**Notified For the year 2023:**

The High Court for the State of Telangana has placed a notification on 25-01-2023 notifying Twelve (12) vacancies in the cadre of District Judge (Entry Level) to be filled by direct recruitment (under 25% quota) for the year 2023.



The written examination consisting of paper I (Civil Law), Paper II (Criminal law), Paper III English (Translation Essay writing and Grammar vocabulary) was conducted on 22-07-2023 and 23-07-2023 at Hyderabad. Further Recruitment Process is in progress.

### **CIVIL JUDGES – 2023**

#### **Notified For the year 2023 :**

As per schedule fixed by the Hon'ble Supreme Court of India in Civil appeal No. 1867 of 2006, the High Court for the State of Telangana has placed a notification on 15/01/2023 notifying 10 vacancy in the cadre of Civil Judge for the recruitment year 2023.

Further, Detailed common notification for the posts notified for the year 2023 was issued on 01/02/2023 inviting applications through online for 10 posts of Civil Judge (08 vacancies to be filled under Direct recruitment and 02 vacancies to be filled under Recruitment by Transfer) in the Telangana State Judicial Service by fixing the last date for submission of online Application as 01/03/2023 up to 11.59 p.m.; that after the last date, the screening test was conducted on 23/04/2023 by using the technical/online services of the Tata Consultancy Services Limited. The hall ticket numbers of the qualified candidates of Computer based screening test was placed in the website on 15/05/2023 in the ratio of 1:10 of the notified vacancies.

Further, the written examination consisting of 3 papers was conducted on 30/09/2023 and 01/10/2023 at Hyderabad. Further recruitment process is in progress.

### **FILLING UP OF VACANCIES IN THE HIGH COURT FOR THE STATE OF TELANGANA**

The High Court issued Notifications Nos. 1/2023 to 10/2023 dated 11/01/2023 and 23/01/2023 inviting applications through online for direct recruitment to the posts in terms of the Service Rules of the High Court for the State of Telangana, 2019.

#### **Court Master and UD Steno Notification Nos.1/2023 and 5/2023**

The skill test were conducted to the eligible candidates for the posts of Court Master and U.D. Steno to the Notification Nos.1/2023 and 5/2023 after completion of certificate verification on 18/03/2023. Further, on 24/03/2023 declared the provisionally qualified candidates to attend the oral interviews. Accordingly, oral



interviews were conducted on 29/03/2023 and the hall ticket number of provisionally selected candidates are placed in the website of the High Court on 31/03/2023.

### **Translator Notification No. 2/2023, dated 11/01/2023**

The High Court issued notification inviting applications through online for direct recruitment to ten (10) posts of Translators in the service of the High Court for the State of Telangana, However, the said Recruitment Notification is cancelled for the reason that none of the qualified candidates applied for the said posts.

### **Assistant Librarian Notification No.4/2023, Dated 11/01/2023**

The High Court issued Notification No. 4/2023 dated 11-01-2023, inviting applications for direct recruitment to the posts of Assistant Librarian in the service of the High Court for the State of Telangana. Further, the High Court scrutinized the applications, prepared the eligible and ineligible list and placed the same in the website of the High Court on 27/03/2023. Accordingly, the examination was conducted on 01/04/2023 in High Court premises.

Further Recruitment process is in progress.

### **Computer Operator Notification No. 3/2023, dated 11/01/2023**

The High Court issued Notification No. 3/2023 dated 11/01/2023, inviting applications for direct recruitment to the posts of Computer Operator in the service of the High Court for the State of Telangana. Further, the High Court scrutinized the applications, prepared the eligible and ineligible list and placed the same in the website of the High Court on 27/03/2023 fixing the date of Computer based examination as on 01/04/2023. Further Recruitment process is in progress such as conducting Skill Test etc.

### **Assistant, System Assistant and Examiner Notification Nos. 6 to 8/2023**

The High Court issued Notification Nos. 6/2023 to 8/2023 dated 11/01/2023, inviting applications for direct recruitment to the posts of Assistant, System Assistant and Examiner in the service of the High Court for the State of Telangana. The computer based online examinations were conducted on 31/03/2023 in three (03) shifts. Further Recruitment process is in progress.



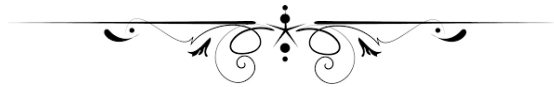
**Office Subordinate Notification No.9/2023, dated 11/01/2023.**

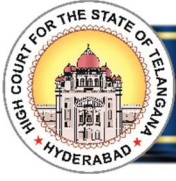
The High Court issued Notification No.9/2023 dated 11-01-2023, inviting applications for direct recruitment to the posts of Office Subordinate in the service of the High Court for the State of Telangana. Further, The High Court decided to conduct OMR based examination on 30/04/2023. Further Recruitment process is in progress.

**Driver Notification No.10/2023, dated 23/01/2023.**

The High Court issued Notification No.10/2023 dated 23/01/2023, inviting applications for direct recruitment to the 12 posts of Driver in the service of the High Court for the State of Telangana. Further, the High Court scrutinized the applications and prepared the eligible and ineligible list and placed the same in the website of the High Court on 19/05/2023. Accordingly, the High Court conducted the skill test in Driving to the eligible candidates on 26/05/2023, 27/05/2023 and 29/05/2023.

Further, oral interviews were conducted on 15/06/2023 and the hall ticket numbers of provisionally selected candidates are placed in the website of the High Court on 07/06/2023.





## SANCTIONED STRENGTH, WORKING STRENGTH AND VACANCY POSITION OF MINISTERIAL STAFF IN DISTRICT COURTS AS ON 30.09.2023

Sanctioned Strength	9896
Working Strength	5704
Vacancies	4192

### FILLING UP OF VACANCIES IN THE DISTRICT COURTS IN THE STATE OF TELANGANA

#### Notified For the year 2023:

The High Court, has taken steps to centralize the process of recruitment of staff in the District courts through online by utilizing the technical services of Tata Consultancy Services Limited. Accordingly, the High Court issued Notifications Nos. 1/2023 to 6/2023 dated 02/01/2023 inviting applications through online for filling up of 1471 posts of Court Staff in the State of Telangana by direct recruitment under Telangana Judicial Ministerial & Subordinate Services, for maintaining confidentiality, transparency and to overcome the delay in recruitment process and fixed the last date for submission of applications as 31/01/2023. The computer based online examinations was conducted in the State of Telangana to the notifications Nos. 1/2023 to 4/2023 from 03/04/2023 to 05/04/2023 in three (03) shifts per day for notified posts under Telangana Judicial Ministerial Services.

Further, OMR based examinations was conducted in the State of Telangana to the notifications Nos. 5/2023 and 6/2023 on 29/04/2023 in two shifts for notified posts under Telangana Judicial Ministerial Services.

Further, on 30/06/2023 the High Court declared the provisional selection of the hall ticket numbers of the candidates in the computer based examination in the categories of Junior Assistant, Field Assistant, Examiner, Record Assistant and on 13/07/2023 the High Court declared the provisional selection of the hall ticket numbers of the candidates in the OMR based examination in the category of Process Server and Office Subordinate.



Further Recruitment process is in progress such as certificate verification of the provisional selected candidates, verifications of antecedents and issuance of appointment orders etc.







## DISTRICT WISE STATEMENT OF THE INSTITUTIONS, DISPOSAL AND PENDING OF CASES FROM 01-7-2023 TO 30-09-2023

Sl.No	NAME OF THE DISTRICT / UNIT	CIVIL			CRIMINAL		
		INSTITUTION	PENDING	DISPOSAL	INSTITUTION	PENDING	DISPOSAL
1	ADILABAD	460	394	2,418	2,166	2,317	6,376
2	KUMURAMBHEEM ASIFABAD	83	112	1,255	1,640	1,646	3,659
3	MANCHERIAL	879	821	5,296	6,122	5,999	11,399
4	NIRMAL	222	231	2,148	11,728	12,006	6,307
5	HYDERABAD - i) CITY CIVIL COURTS	5,981	6,645	55,302	241	221	1,892
6	ii) CITY SMALL CAUSES COURTS	156	95	1,035	0	0	0
7	iii) METROPOLITAN CRIMINAL COURTS	0	0	0	28,309	24,123	99,381
8	iv) TRIBUNALS	151	225	3,355	0	16	35
9	v) CBI UNIT	0	0	0	65	55	1,585
10	KARIMNAGAR	1,065	811	12,381	3,728	3,547	21,835
11	JAGTIAL	868	637	5,649	1,213	1,230	11,612
12	RAJANNA SIRCILLA	678	433	6,221	3,346	3,285	11,621
13	PEDDAPALLY	399	317	4,132	1,609	1,426	7,686
14	KHAMMAM	1,833	1,986	13,517	10,821	10,844	20,224
15	BADRADRI KOTHAGUDEM	563	489	3,096	1,633	1,340	15,760
16	MAHABUBNAGAR	1,421	1,244	7,654	930	1,050	11,149
17	JOGULAMBA GADWAL	431	422	4,072	1,428	1,705	5,106
18	NARAYANPET	634	649	6,552	3,903	3,810	7,905
19	NAGARKURNOOL	216	210	2,258	507	561	3,844
20	WANAPARTHY	382	483	4,430	1,682	1,794	6,048
21	MEDAK	824	1,099	3,804	2,820	3,109	7,806
22	SANGAREDDY	1,864	1,624	14,502	4,278	3,910	15,935
23	SIDDIPET	875	789	8,963	4,754	5,020	13,063
24	NALGONDA	1,619	1,412	15,670	12,227	12,039	26,065
25	SURYAPET	981	1,057	8,822	4,039	4,480	17,271
26	YADADRI BHUVANAGIRI	800	797	8,100	2,835	2,844	11,411
27	NIZAMABAD	1,073	1,025	9,189	1,572	902	13,070
28	KAMAREDDY	948	763	3,984	976	766	8,684
29	RANGAREDDY	4,347	4,483	47,914	6,258	5,176	63,742
30	MEDCHAL-MALKAJIRI	4,451	4,112	33,556	4,025	3,285	50,304
31	VIKARABAD	620	445	7,626	4,527	4,432	8,999
32	WARANGAL	776	812	9,532	1,259	1,415	11,802
33	HANUMAKONDA	1,169	1,074	14,626	1,332	1,456	15,952
34	JANGAON	378	280	5,199	587	478	5,729
35	JAYASHANKAR BHUPALAPALLY	242	196	2,426	962	803	5,890
36	MAHABUBABAD	290	422	3,714	1,541	1,173	8,201
37	MULUGU	85	81	966	235	330	2,619
<b>GRAND TOTAL</b>		<b>37,764</b>	<b>36,675</b>	<b>3,39,364</b>	<b>1,35,298</b>	<b>1,28,593</b>	<b>5,39,967</b>





- On 08.07.2023, Telangana State Legal Services Authority and District Legal Services Authority, Siddipet have conducted Legal Awareness Programme on Drug Abuse & Cyber Crimes. Honb'le Justice Sri P. Sam Koshy, Judge, High Court for the State of Telangana & Executive Chairman, Telangana State Legal Services Authority was the Chief Guest for the programme. The Member Secretary, TSLSA, Chairman & Secretary, DLSA, Siddipet, Government Officials and other stakeholders took part in the programme
- On 08.07.2023, the DLSA, Siddipet in coordination with Telangana State Legal Services Authority has conducted Module Camp on NALSA (Effective Implementation of Poverty Alleviation Scheme) Scheme, 2015, at Vipanchi Auditorium, Siddipet.

The Member Secretary, TSLSA, Chairman & Secretary, DLSA, Siddipet, Government Officials, Staff and other stakeholders participated in the programme. The main purpose of this programme is to provide legal services to the Poverty Alleviation related schemes to the people in Siddipet District.

Two stitching machines were also distributed to the beneficiaries, 10 kg. of Red Gram seed packets were given to Farmers. A stall was also set by the DLSA. With the coordination of Medical and Health Department, medical tests were conducted and medicines were given to the needy.



- On 22.07.2023, the Hon'ble Chairperson of the Juvenile Justice Committee of the High Court has conducted preparatory meeting to conduct Annual Stakeholders Consultation on Child in Conflict with Law: Prevention, Restorative Justice, Diversion and Alternatives to Detention. The Member Secretary, TSLSA has attended the meeting.
- As per the directions of the Hon'ble High Court for the State of Telangana, the Administrative Officer, TSLSA has visited the residence of comatose patient on 26.07.2023 interacted with the family members, maids, nurses and enquired about the precautions taken for the safety of the comatose patient.
- As per the directions of the Hon'ble High Court for the State of Telangana in W.P. No. 58 of 2021, the Member Secretary, TSLSA has organized a Review Meeting on 04.08.2023, with the GHMC Officials and requested the officials to furnish the report on the steps taken for keeping the Musi River clean and rejuvenating the river.
- On 05.08.2023, the Hon'ble Executive Chairman, TSLSA and the Hon'ble Chairman, HCLSC have conducted a meeting with the State Level Officials of Insurance Companies, TSRTC and General Managers of the Banks in the High Court to discuss and explore the possibilities of settlement of good number of MACMA / MVOP Cases and Bank Cases etc. pending before all the courts in the upcoming National Lok Adalat on 09.09.2023.
- As per the directions of the Hon'ble Executive Chairman, TSLSA in co-ordination with T.S. Judicial Academy, Secunderabad, has conducted One Day Refresher Training Programme on 14.08.2023 to all the stake holders connected with Juvenile Justice System in the State of Telangana so as to sensitize them on various aspects of Juvenile Justice.
- On 26.08.2023 & 29.08.2023, the Hon'ble Executive Chairman, TSLSA has conducted a meeting with the state level officials of Insurance Companies, TSRTC and General Managers of the Bank in High Court to discuss and explore the possibilities of settlement of good number of MACMA / MVOP Cases and Bank Cases pending before all the courts in upcoming National Lok Adalat.



## **AWARENESS AND OUTREACH PROGRAMMES: COMMUNITY**

(1) On 21-08-2023, Metropolitan Legal Services Authority, Hyderabad conducted Legal Sensitization programme on Women and Child Related Laws at Indra Priya Darshini Degree Government Girls College at Nampally.



(2) On 02-08-2023, Secretary, Metropolitan Legal Services Authority, Hyderabad visited to Government Boys Observation Home Saidabad and Conducted Legal Awareness Programme on the topic of NALSA (Legal Services to the Victims of Drug Abuse).

### **ERADICATION OF DRUG MENACE SCHEME 2015.**



(3) On 07-08-2023, Secretary, Metropolitan Legal Services Authority, Hyderabad Visited to Government Girls Observation Home and Conducted Legal Awareness Camp on the topic of NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015



(4) On 21-08-2023, Metropolitan Legal Services Authority, Hyderabad Conducted Legal Awareness Programme to the Senior Citizens on the topic of NALSA (Legal Services to Senior Citizens) Scheme, on the eve of “World Senior Citizen’s Day”.



(5) On 01-08-2023, Secretary, Metropolitan Legal Services Authority, Hyderabad visited Ideal Information Center for Disabled at Chaderghat, and conducted Legal Awareness Camp on the topic of NALSA (Legal Services to the Mentally ill and Disabled Person) Scheme, 2015.



### **CELEBRATION OF IMPORTANT DAYS RELEVANT TO LSIs:**

(1) On the eve of “International Day of World Indigenous People” on 09-08-2023, Metropolitan Legal Services Authority, Hyderabad conducted Legal Awareness Programme at SR.Nagar Community Hall with Para Legal Volunteer Sri Ananth Reddy to Schedule Tribes People on the topic of NALSA (Protection and Enforcement of Tribal Rights) Scheme, 2015.



(2) On 22-08-2023, Secretary, Metropolitan Legal Services Authority, Hyderabad visited Old Age Home at Nalakunta and verified about the Deficiencies if any for taking necessary steps on priority basis.



(3) On the eve of “International Day of World Indigenous People” on 09-08-2023, Metropolitan Legal Services Authority, Hyderabad conducted Legal Awareness Programme at Bathkamma Kunta, Tilaknagar X Road, Hyderabad by Para Legal Volunteer Sri Satyanarayana Raju to Schedule Tribes People on the topic of NALSA (Protection and Enforcement of Trial Rights) Scheme,



## OTHER ACTIVITIES:

(1) On 10-08-2023, Metropolitan Legal Services Authority, Hyderabad conducted meeting on upcoming National Lok Adalat at Nampally, Criminal Court, Bar Association, for disposal of N.I.Act cases and other criminal compoundable cases.



(2) Hon'ble Sri Justice P.Sam Koshy, Judge, High Court for the State of Telangana & Executive Chairperson of TSLSA , Hyderabad was the Chief guest for the inaugural Session of National Lok Adalat programme conducted at City Civil Court Legal Services Authority on 09.9.2023. Hon'ble Executive Chairman, TSLSA in his addressing emphasized about amicable settlement of cases through ADR, more particularly on Lok Adalat. His Lordship presented the cheques to the parties who settled their cases in National Loka Adalat. The Member Secretary, Chairman and other Judicial Officers





of City Civil Courts, Family Courts of Hyderabad, President and advocates of Bar Association , Bank officials and parties have participated in the programme.

(3) On 02-09-2023 Secretary, Metropolitan Legal Services Authority, Hyderabad visited Fatima Old Age Home and conducted Legal Awareness Camp on the topic of NALSA (Legal Services to Senior Citizens) Scheme, 2016. Around 120 beneficiaries participated in the Legal Awareness Camp.



### **AWARENESS AND OUTREACH PROGRAMME: SCHOOLS AND COLLEGES**

On 06-09-2023, Secretary, Metropolitan Legal Services Authority, Hyderabad visited Hyderabad Children Aid Society School at Nan Nagar, beside OLIVE Hospital, Medhipatnam and conducted Legal Awareness Programme on the topic of Child Abuse, POCSO Act in co-ordination with Women and Child Development Department.



On 11-09-2023, Secretary, Metropolitan Legal Services Authority, Hyderabad visited to Government Primary & High School Sultan Bazar and Conducted Legal Awareness Camp on the topic of Food Security Act in collaboration with ASHA Workers and also verified Mid Day Meals.



### **ACTIVITIES AND PROGRAMMES FOR PRISONERS-**

On 13-09-2023, Secretary, Metropolitan Legal Services Authority, Hyderabad visited Success School Asif Nagar and conducted legal awareness Camp on the topic of NALSA (Effective Implementation of Poverty Alleviation Scheme) Scheme, 2015 with resource persons like Secretary MLSA, Hyderabad and SI Asif Nagar and Advocate.



On 23-09-2023 Secretary, Metropolitan Legal Services Authority, Hyderabad visited to Special Prison for Women, Chanchalguda, Hyderabad and conducted Legal Awareness Camp on the topic of NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015.



### CELEBRATION OF IMPORTANT DAYS RELEVANT TO LSIs:

On the eve of “World Deaf Day” On 20-09-2023, Metropolitan Legal Services Authority, Hyderabad conducted Free Medical Camp for differently abled children at Ideal Information Centre for Disabled. In the presence of Dr.Shameem, Director of Muslim Group of Hospitals and Dr.Anusha and Dr.Ananya, Audiologist, a free medical camp for the disabled was organised in coordination with Para Legal Volunteers Sri Mohd Majeeduddin and others.



## CAPACITY BUILDING / TRAINING PROGRAMMES

On 26-09-2023 Metropolitan Legal Services Authority, Hyderabad conducted Sensitization Programme with the team of Para Legal Volunteers on NALSA Scheme & DISHA Scheme



## LEGAL SERVICES CLINICS

On 05-09-2023 Secretary, Metropolitan Legal Services Authority, Hyderabad visited Legal Aid clinic situated at Purani Haveli which is looked after by Para Legal Volunteer by name Sri Mohd Majid ulla Khan and Sri Ayush and perused the register wherein details of legal assistance provided to public.



- As per the directions of the Hon'ble Executive Chairman, TSLSA, the Secretaries of CCCLSA, Hyderabad and DLSA, Ranga Reddy participated in the State Level Consultation organized by Bachpan Bacho Andolan (BBA) on Child Marriage Free India Campaign Telangana on 15.09.2023 at Hotel Plaza, Hyderabad.



- On 20.09.2023, the Administrative Officer (FAC), TSLSA has attended the Virtual Video Conference on *Appeal (Crl.) No(s). 529/2021 Sonadhar Vs State of Chhattisgarh*. “Order of the Court” following suggestions were made before the Hon'ble Court for consideration SLP(Crl.) No. 529/2021 E-PRISON MODULE one such suggestions made was e-prison module can be modified for uploading data regarding orders for granting bail, status of implementation of the orders on granting bail and orders of acquittal.
- On 20.09.2023, the Member Secretary, TSLSA has interacted virtually with the Chairpersons, Secretaries of DLSAs and with all Prison Superintendents in the State with regard to Special Campaign on UTRC.

### ACTIVITIES OF DISTRICT LEGAL SERVICES AUTHORITIES

- On 13.07.2023, the Secretary, DLSA, Sangareddy has conducted awareness programme at Kolkur Village, Sadashivpet Mandal, Sangareddy to the farmers on the subjects that are “Agricultural Legislations, Farmer Welfare Schemes, its scope and benefits” Debt Swapping Loans to the farmers – Implementation of Master Directions of Reserve Bank of India and NALSA Schemes etc.
- The District Legal Services Authority, Kamareddy has conducted a Legal Awareness programme on “Fire Safety Measures”, NALSA scheme to Disaster Victims at District Court premises, Kamareddy on 14-07-2023 and enlightened the public about the Fire Safety Measures and preventive measures to avoid Fire accidents etc., and created awareness created how to save their lives when involved in the fire accidents.
- On 31-07-2023, a Para Legal Volunteer of MLSA, Hyderabad has visited the Singareni officers colony, Hyderabad and found that the road was blocked due to heavy rains, rain water was stagnated on the roads, water entered into house's and drains were overflowing. The blockage was due to mud, sand and waste material which was not removed from drains and roads.
- The DLSA, Karimnagar organized an awareness camp on 24.08.2023 at Swadhar Home, Karimnagar. The Deputy Legal Aid Defence Counsel and Superintendent of Swadhar Home were other Speakers were present in the camp. The camp aimed at raising awareness on the NALSA Schemes (NALSA (Victims of Trafficking and Commercial Exploitation) Scheme, 2015).



## **WORLD SENIOR CITIZENS'S DAY ON 21-08-2023 :**

All the District Legal Services Authorities in the State of Telangana, has conducted Legal Awareness Programme to the Senior Citizens on the eve of "World Senior Citizen's Day" on the topic of NALSA (Legal Services to Senior Citizens) Scheme, 2016.

On 13-09-2023, the Secretary, MLSA, Hyderabad visited Success School Asif Nagar and conducted legal awareness Camp on the topic of NALSA (Effective Implementation of Poverty Alleviation Scheme) Scheme, 2015.

- On 23.09.2023, the District Legal Services Authority, Nizamabad and Sneha Society for Rural Reconstruction, Nizamabad has jointly Organized Health Camp for the Deaf and Intellectual Disabled children on the occasion of National Day of Sign Language / World Deaf Day 2023 at Sneha Society, Maruthi Nagar, Nizamabad.
- On 25-09-2023 the Secretary, MLSA, Hyderabad has conducted Meeting with Legal Aid Defence Counsels with regard to Special Campaign of Under Trial Review Committee and discuss progress of cases and reviewing about bail applications.
- On 26-09-2023 the Secretary, DLSA, Ranga Reddy has conducted Health and Medical Camp for benefits of Deaf and Dumb People on the eve of world deaf day in cordination with Manasa NGO, Light Organisation, Radha Institution, Prerana Institution, Bhavitha Govt NGO. ENT Doctor Padmini at Vanasthalipuram Area Hospital and Psychology Doctor Sushmitha were present in the said camp.

## **SUCCESS STORIES :**

- A News item published in Eenadu daily news paper under caption "udithe anthe sangathulu" on 14.07.2023. The contents of the news item is that, the electricity poll situated at Ward.No.3 of Sangidi village was damaged and it became dangerous to the residents of Ward.No.3. Immediately the DLSA, Adilabad has issued notice to the Superintendent Engineer, Electricity Department, Adilabad to rectify the problem. In turn the officials of Electricity Department has rectified the problem on 22.07.2023. Thus, the matter was resolved with the intervention of DLSA.
- Timely intervention of City Civil Court Legal Services Authority, Hyderabad has helped a poor couple from Saidabad to get their newly born baby discharged from a private hospital which was refusing to hand over the newly born baby to the parents untill the they settle Rs.1.3 lakh medical bill.

The baby's father, works as a helper in a petrol pump and no relative came forward to help the family because of his inter caste marriage. When this came to the



notice, the Secretary, CCCLSA, Hyderabad with the help of Sri Suresh Para legal volunteer took up the initiative and discussed the issue with the hospital management, Subsequently the hospital handed over the newly born baby to parents while waiving the medical expenses. The couple felt happy for the timely help of City Civil Court Legal Services Authority, Hyderabad.

- On 27-09-2023, the Metropolitan Legal Services Authority, Hyderabad has helped a victim to open a bank account with a guardian for depositing amount sanctioned under Victim Compensation Scheme.
- On 29-09-2023, the Metropolitan Legal Services Authority, Hyderabad has helped a handicapped person to get back her certificate withheld by a Private College.
- On 30-09-2023 Legal Awareness Programme was conducted by MLSA, Hyderabad on NALSA (Child Friendly Legal Services to Children and their Protection) Scheme, 2015 to the staff of Sishu Vihar Orphanage Home situated at Madhura Nagar Hyderabad.

### **REGULAR LOK ADALATS:**

In the Regular Lok Adalats, conducted during the months of July, August & September, 2023, as many as 50,886 cases were settled, out of which 10,206 are Pre Litigation cases and 40,680 are pending cases by awarding an amount of Rs. 1,11,42,01,091/-.

### **National Lok Adalat on 26.06.2023 :**

On 09.09.2023, National Lok Adalat was successfully conducted throughout the State of Telangana. A total number of 5,69,961 cases (i.e. 13,265 pre-litigation and 5,56,696 pending litigation) cases were disposed of and an amount of Rs. 199.40 crores was awarded as compensation.

### **LEGAL AID BENEFICIARIES:**

During the quarterly period from July to September, 2023, (1548) Panel Advocates were appointed by the Legal Services Institutions to the needy persons for providing legal aid and (3775) persons were rendered legal advice.



**HIGH COURT LEGAL SERVICES COMMITTEE  
FOR THE STATE OF TELANGANA**

**Statistical information in respect of Lok Adalats conducted and cases settled during  
the period From July, 2023 to Sep, 2023**

Sl. No.	Month & Year	Date of Lok Adalat	No. of Pre-Litigation Cases Taken	No. of Pre-Litigation Cases Settled	PLC Cases Settled Amount (Rs/-)	No. of Pending Cases Taken up	No. of pending Cases Settled	Pending Cases Settled Amount (Rs/-)	Total Amount (PLC + Pending) (Rs/-)
1.	July, 2023	-	-	-	-	-	-	-	-
2.	August, 2023	-	-	-	-	-	-	-	-
3.	September, 2023	09.09.2023 (National Lok Adalat)	56	33	3,99,00,000/-	435	371	10,67,00,000 /-	14,66,00,000/-
		30.09.2023 (Regular Lok Adalat)	13	8	1,78,42,453/-	50	36	97,15,144/-	2,75,54,597/-
<b>Total:</b>			<b>69</b>	<b>41</b>	<b>5,77,42,453/-</b>	<b>485</b>	<b>407</b>	<b>11,64,12,144/-</b>	<b>17,41,54,597/-</b>

**Statistical information in respect of Legal Aid provided during the period  
From July, 2023 to Sep, 2023**

Sl.No.	Month	SC	ST	Women	General	In custody	Persons with Disability	Re-allotments	Allotments	Total
1	July, 2023	4	1	9	2	8	1	20	5	50
2	August, 2023			12	1	9		11	3	36
3	September, 2023	2		5	4	10		1	1	23
<b>Total :</b>		<b>6</b>	<b>1</b>	<b>26</b>	<b>7</b>	<b>27</b>	<b>1</b>	<b>32</b>	<b>9</b>	<b>109</b>





**Statistical information in respect of Identification of parties in Criminal  
Petitions/Writ Petitions/Criminal Revision Cases etc., during  
the period From July, 2023 to Sep, 2023**

Sl.No.	Month	Cri.P	Cri.RC	Cri.A	W.P	A.S	S.A	Contempt Case	Total
1.	July, 2023	41	2	-	1	-	-	-	44
2.	August, 2023	42	-	1	-	1	1	1	46
3.	September, 2023	32	-	-	1	-	-	-	33
<b>Total :</b>		<b>115</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>123</b>





## TELANGANA STATE JUDICIAL ACADEMY IMPORTANT EVENTS

The Telangana State Judicial Academy has conducted various programmes and workshops between 01.07.2023 to 30.09.2023 for different target groups. As part of imparting continuous training to the Staff of District Judiciary the training programmes were conducted to the staff through the trainers who undergone training as Master Trainers identified by the Academy.

A Refresher Training Programme for Prl. Magistrates of Juvenile Justice Boards was conducted at the Academy between 14.08.2023 to 19.08.2023.

The Academy in collaboration with Juvenile Justice Committee, High Court for the State of Telangana has conducted “Annual Stakeholders Consultation Meet on Child Protection”.

The Academy also conducted a week long Knowledge Exchange Program on “Sharing of Best Practices” for 50 trainee Junior Civil Judges who are undergoing training at Odisha Judicial Academy between 10.09.2023 to 16.09.2023.

### **Speakers:**

Their Lordships, Hon’ble Sri Justice P.Sam Koshy, Judge, High Court for the State of Telangana and Executive Chairman, Telangana State Legal Services Authority, Hon’ble Sri Justice Abhinand Kumar Shavili, Judge, High Court for the State of Telangana and President, Telangana State Judicial Academy, Hon’ble Sri Justice T.Vinod Kumar, Judge, High Court for the State of Telangana and Chairperson, Juvenile Justice Committee, High Court for the State of Telangana, have addressed the participants on inaugural session on “The Annual Stakeholders Consultation Meet on Child Protection”. The participants also had the benefit of hearing his Lordship Hon’ble Sri Justice Alok Aradhe, The Chief Justice, High Court for the State of Telangana and Patron-in-Chief, Telangana State Judicial Academy on the occasion. The speakers of various sessions in “The Annual Stakeholders Consultation Meet on Child Protection” include various eminent personalities from different walks of life.



## TRAININGS AND EVENTS:

1. The Telangana State Judicial Academy with the aim of equipping the state judicial officers with the overall understanding on the latest trends in Cyber Crimes and in appreciating the electronic evidence has collaborated with Raja Bahadur Venkata Rama Reddy (RBVRR) Telangana State Police Academy, Hyderabad, conducted series of workshops on “Cyber Crimes and Electronic Evidence” and as part of the same the first batch of 15 Judicial Officers consisting of Addl Chief Metropolitan Magistrates & Metropolitan Magistrates, were imparted training on 15.07.2023 and 16.07.2023 at RBVRR Telangana State Police Academy, Hyderabad as the venue.



Prominent speakers have interacted with the officers on different topics viz.,

- Criminal offences under IT Act, 2000 & 2008
- Different types of Cyber Crimes; Latest Trends in Cyber Crimes
- Collection of Digital Evidence - Maintaining Chain of Custody till production before the Court in various types of offences
- Practical Session on Forensic analysis of Different kinds of digital evidence
- Electronic Evidence, Admissibility and Challenges

The programme was well received by the participant officers and made optimum use of the opportunity to understand the actual nuances that goes into forensic analysis of the digital evidence.



2. The Telangana State Judicial Academy has conducted Training Programme on 'Scrutiny of complaints, charge sheets and preparation of pay Bills' to 108 Staff Members of District Courts (3 members from each District and different Units in Hyderabad) from 21.06.2023 to 24.06.2023, who are identified as Master Trainers with an objective that the Master Trainers would impart training on the above subjects to the staff of their respective districts.



The Hon'ble High Court has directed the Master Trainers to train the staff members and upon such direction the Master Trainers under the supervision of the Unit Heads of each respective district have conducted training program to the staff of their district on 15.07.2023, 19.08.2023 and 16.09.2023, a total of 1,192 Staff Members of district Judiciary had benefitted from this programme.



3. The Academy in its endeavor to impart training on latest updates on various aspects and continuous sharing of best practices to the judicial officers of the state has conducted Two Day Workshop on “Various Orders in Criminal Proceedings from Remand to Sentence” on 04.08.2023 and 05.08.2023. Sri N.Venkat Ram, Deputy Director has addressed the participants on the topic “Intricacies involved while passing various orders at Pre-cognizance stage”. Sri K.Ajitha Simha Rao, District Judge (Retd), Presiding Officer, T.S.Land Acquisition, Rehabilitation & Resettlement Authority has interacted with the participants on the topic “**Common errors in cognizance, discharge and section 311 Cr.P.C orders and Interim Compensation Orders in 138 NI Act**”. Sri D.Ramakanth, I Additional Metropolitan Sessions Judge, Hyderabad has taken a session on the topic “**Sentencing Policy: Errors and Challenges while awarding sentence**” and also conducted Group Discussions on “**Remand and Bail, Cognizance, Awarding Sentence**”.

4. The Academy has conducted Refresher Training Programme for Principal Magistrates and Members of Juvenile Justice Boards for a period of one week from 14.08.2023 to 19.08.2023.

During the Training programme the participants had the occasion to take part in a State Level Convergence meet organized by Telangana State Legal Services Authority on “**Concepts and Challenges Involved in Juvenile Justice**”. His Lordships Hon’ble Sri Justice P.Sam Koshy, Hon’ble Sri Justice Abhinand Kumar Shavili and Hon’ble Sri Justice T.Vinod Kumar and Smt.Bharati Holikeri, IAS, Special Secretary to Government & Commissioner, Women Development & Child Welfare Department spoke on the inaugural session and the officers had the benefit of understanding how to tackle various challenges that lay in implementing Juvenile Justice Act. The participants have also deliberated on the important issues of Prevention of Child Offending, Diversion alternatives to detention and non custodial alternatives etc as part of the training program.

The Academy upon the directions and guidance of the Hon’ble High Court of Telangana and in order to establish a digital academy has collaborated with “Vidhi Centre for Legal Policy” and ECHO, a digital platform service provider for conducting classes and as part of the same the sessions on “Perspectives on Juvenile Justice and Children in Conflict with Law”, “Age Determination”, “Orders that can be passed by JJB after inquiry” have all been conducted on ECHO digital platform.



The sessions conducted by Ms.Swagatha Raha, Director-Research, Enfold India, Sri Ananth Kumar Asthana, Advocate, Supreme Court of India, Ms.Maharukh Adenwalla, Advocate was very well received and the twin objectives of organising the training program which is of giving latest inputs to the participants from the experts and also the pilot project of creating a digital academy for learning, were met.

The academy as part of the training has invited resource persons from NIMHANS and Ms.Sheila Ramaswamy from NIMHANS has conducted a daylong session on various important topics which are useful for the Principal Magistrates and Members for discharging of their duties.

5. The Telangana State Judicial Academy in Collaboration with Juvenile Justice Committee, High Court for the State of Telangana on 19.08.2023 conducted training program on 'ANNUAL STAKEHOLDERS CONSULTATION MEET ON CHILD PROTECTION' at the Telangana State Judicial Academy.



Hon'ble Sri Justice Alok Aradhe, The Chief Justice, High Court for the State of Telangana and Patron-in-Chief, Telangana State Judicial Academy has inaugurated the programme in the august presence of Hon'ble Sri Justice Abhinand Kumar Shavili, Judge, High Court for the State of Telangana & President Telangana State Judicial Academy, Hon'ble Sri Justice T.Vinod Kumar, Judge High Court for the State of Telangana and Chairperson, Juvenile Justice Committee, High Court for the State of Telangana. Hon'ble Sri Justice P.Sam Koshy, Hon'ble Sri Justice K.Lakshman, Hon'ble Sri Justice B.Vijaysen Reddy, Hon'ble Smt Justice P.Sree Sudha, Hon'ble Smt Justice P.Madhavi Devi, Hon'ble Mrs Justice S.Nanda, Judges, High Court for the State of Telangana. Smt. A. Shanthi Kumari, Chief Secretary, Government of Telangana, Sri Anjani Kumar, Director General of Police, Government of Telangana.

The key note address was delivered by **Hon'ble Sri Justice Alok Aradhe**, The Chief Justice, High Court for the State of Telangana and Patron-In-Chief, Telangana State Judicial Academy.

Hon'ble Sri Justice Abhinand Kumar Shavili, Judge, High Court for the State of Telangana & President Telangana State Judicial Academy, Hon'ble Sri Justice T.Vinod Kumar, Judge, High Court for the State of Telangana & Chairperson, Juvenile Justice Committee, High Court for the State of Telangana, Smt.A.Shanti Kumari, Chief Secretary, Government of Telangana, Sri Anjani Kumar, Director General of Police, Government of Telangana have also addressed the participants during the inaugural session.

The speakers of different sessions include Sri. Sandeep Shandilya, IPS, Director, Telangana State Police Academy, Dr. Mamata Raghuveer Achanta, Founder, Director of Tharuni NGO, Mrs. Bharati Hollikeri, IAS Spl.Secretary and Commissioner for Women, Children Disabled and Senior Citizens, Dr.M.Rajendar, District Judge (Retired), Sri S.Goverdhan Reddy, Member Secretary, Telangana State Legal Services Authority, Smt. Shika Goel, IPS, Additional Director General of Police, Women Safety wing, SHE Teams and Bharosa, Hyderabad.

6. The Odisha Judicial Academy and The Telangana State Judicial Academy have come together to conduct a program on "Sharing of Best Practices" for Trainee Junior Civil Judges on probation who are undergoing training at Odisha Judicial Academy. As part of the same 50 Trainee Junior Civil Judges on Probation have visited the Telangana Judicial Academy from 10<sup>th</sup> September 2023 to 16<sup>th</sup> September 2023.



**TELANGANA STATE JUDICIAL ACADEMY : SECUNDERABAD**  
'Knowledge Sharing Programme' for 50 Trainee Civil Judges of Odisha Judicial Academy  
from 10.09.2023 to 16.09.2023



On the first day of the program, Dr. M.Rajender, Director of the academy & Sri N.Venkat Ram Deputy Director of the academy have interacted with the 50 participants and gave an overview of the week long program and what to expect and the key takeaways.

The academy has conducted a session to the Trainee Civil Judges on Probation on “Latest trends in Cyber Crimes and Challenges” by inviting the industry experts. They have also visited City Civil Court, Hyderabad and interacted with Dr.S.Srinivas Reddy, XXVI Addl.Chief Judge, City Civil Court, Hyderabad regarding Best Practices adopted in Administration of Justice at City Civil Court, and the officers have also visited the Telangana State Legal Services Authority to observe the procedures adopted by TSLSA in Administration of Justice. Sri S.Goverdhan Reddy, Member Secretary, TSLSA, Hyderabad had interacted with the trainee officers.

The Trainees also had the occasion to visit Bharosa Center, an Initiative of Telangana State Police which is extending various services to the victims of sexual offences and is regarded as one of the best model across the India. There the trainees have interacted with Police officials and also with NGO's and understood the importance of the duties that they would be discharging in POCSO cases.

The trainee officers have also visited Metropolitan Sessions Court Complex and Ranga Reddy District Courts Complex and have observed the court proceedings at Chief





Metropolitan Magistrate courts and Magistrate Courts and Civil Judges Courts and had fruitful interaction with the presiding officers of the courts who gave inputs to the officers on the court management and the procedures that are followed in the state of Telangana. The officers have also benefited from the interactions with Smt. S.Premavathi, Metropolitan Sessions Judge, Sri D.Ramakanth, I Addl. Metropolitan Sessions Judge at Nampally and Sri S.Sasidhar Reddy, Principal District and Sessions Judge, Ranga Reddy District and Sri K.Pattabhi Ramarao, I Additional Metropolitan Sessions Judge, Ranga Reddy District

The academy with the permission of Hon'ble High Court has also arranged a visit to the Hon'ble High Court for the State of Telangana and the Civil Judges on Probation had the opportunity of interacting with Respected Registrar General Smt.E.Tirumala Devi and the Team of Registrars and gained insights on the working of District Judiciary in the State of Telangana.

As part of highlighting the rich history of Telangana, the academy has organised visits to various historical places in the surroundings of Hyderabad to the visiting officers in the evenings after the conclusion of classes and the participants could experience the rich heritage of the state when they visited Golkonda Fort, Chowmahalla palace, Charminar, Birla Temple etc.

In the words of the participant officers, the exposure they got to the best practices about managing the call work, the sensitive responsibility cast on the them (magistrates) while dealing with POCSO victims at the time of recording their 164 CrPC statements, the discussion of the movie "12 Angry men" and the importance of shedding different kinds of prejudices that each person knowingly or unknowingly carry are the key takeaways.





## IMPORTANT EVENTS IN JUDICIAL DISTRICTS

### HUZURNAGAR, SURYAPET DISTRICT



Additional District and Session Judge Court at Huzurnagar, Suryapet District, has virtually inaugurated by the Hon'ble Sri Justice Alok Aradhe, the Chief Justice, High Court for the State of Telangana and in the physical presence of the Judicial Officers, Advocates and Police Officials at Huzurnagar on 12-09-2023.

