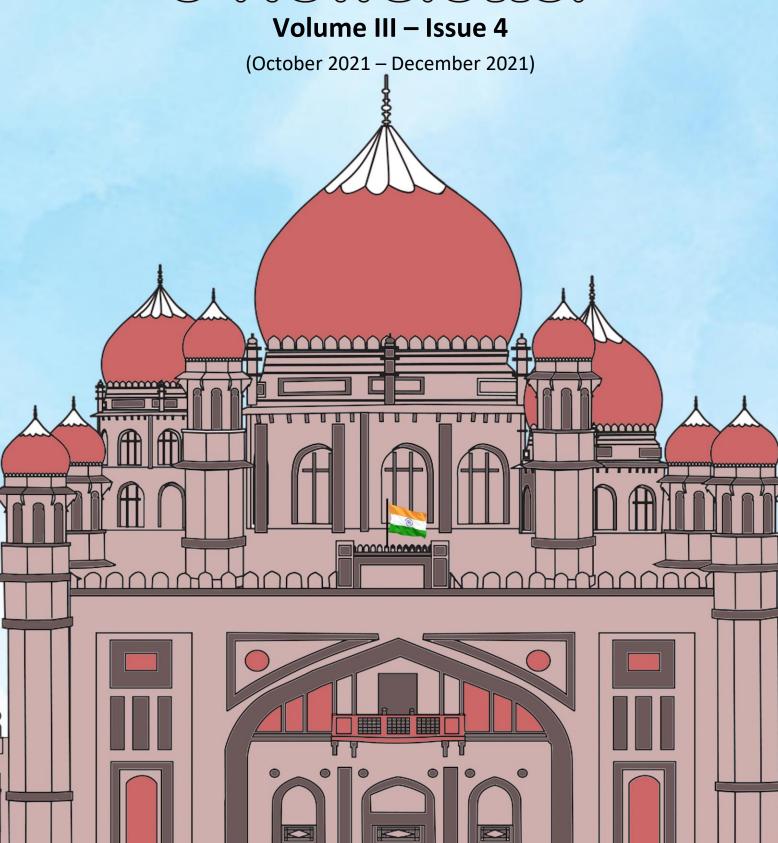


# High Court for the State of Telangana

# e-Newsletter





#### Hon'ble the Chief Justice

### SATISH CHANDRA SHARMA

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### **FOREWORD**

We extend a warm welcome to the Year 2022, slowly but steadily normalcy is being restored after prolonged SARS-COVID-19 pandemic disturbance to normal working of Courts.

In this quarter High Court has welcomed Hon'ble the Chief Justice and Hon'ble Sri Justice Ujjal Bhuyan and 7 new Judges and bid farewell to two Judges of this Court. Hon'ble Sri Justice Satish Chandra Sharma assumed office of Chief Justice. On his Lordship's transfer from Bombay High Court, Hon'ble Sri Justice Ujjal Bhuyan joined our High Court. On her transfer from High Court of Andhra Pradesh Hon'ble Smt. Justice Kanneganti Lalitha Kumari joined our High Court. Seven new Hon'ble Judges have taken oath on 15-10-2021. The High Court has also bid farewell to Hon'ble Sri Justice M.S. Ramachandra Rao on his Lordship's transfer to High Court of Punjab and Haryana and Hon'ble Sri Justice T. Amarnath Goud on his Lordship's transfer to Tripura High Court.

The State Judiciary has the Honour of having Hon'ble the Chief Justice of India, Hon'ble Sri Justice N.V. Ramana, inaugurating the Hyderabad International Arbitration and Mediation Centre (HIAMC), the first International Arbitration and Mediation Centre in India, on 18.12.2021. His lordship also inaugurated the newly constructed Ten Courts Complex, a Model Family Court and the POSCO Court in the District Court Complex at Warangal on 19.12.2021. Hon'ble the Chief Justice was all praise on developing Ten Court Complex, the Family Court and the POSCO Court as Model Courts with all the amenities and facilities recommended by the Hon'ble Supreme Court and few additional facilities which have been introduced for the first time in the Indian Judiciary.







### Contents

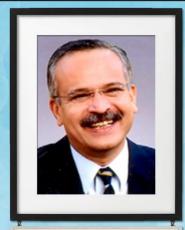
Hon'ble Judges of the High Court
Registrars of the High Court
Events of the High Court
Some of the important and latest Judgments delivered by the Hon'ble Judges of this High Court
Statement of work done in the High Court as on 31-12-2021
Sanctioned strength, working strength, and vacancy position of Judicial Officers in the State of Telangana as on 31-12-2021
Sanctioned strength, working strength and vacancy position of Ministerial Staff in District Courts as on 31-12-2021
District wise Statement of the Institutions, Disposal and Pendency of Cases from 01-10 2021 to 31-12-2021
Activities of Telangana State Legal Services Authority3
Statistics of High Court Legal Services Committee4
Activities of Telangana State Judicial Academy4







### Hon'ble Judges of the High Court



Hon'ble the Chief Justice Satish Chandra Sharma



Hon'ble Sri Justice Ujjal Bhuyan



Hon'ble Sri Justice
A. Rajasheker Reddy



Hon'ble Sri Justice P. Naveen Rao



Hon'ble Dr. Justice Shameem Akther



Hon'ble Sri Justice Abhinand Kumar Shavili



Hon'ble Justice G. Sri Devi



















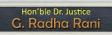




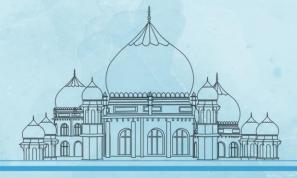




Hon'ble Dr. Justice **C. Sumalatha** 

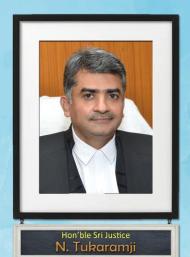


Hon'ble Sri Justice
M. Laxman



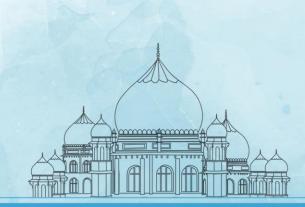
















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#### **Events of the High Court**

Swearing in ceremony of Hon'ble Chief Justice on 09.10.2021:



Hon'ble the Governor for the State of Telangana, Smt. Tamilisai Soundararajan administered the oath of office to Hon'ble Sri Justice Satish Chandra Sharma as the Hon'ble the Chief Justice, High Court for the State of Telangana at Raj Bhavan, Hyderabad on 09.10.2021. The Chief Minister for the State of Telangana Sri K. Chandrasekhar Rao, his cabinet Ministers, Hon'ble Judges of the High Court, Registrars of the High Court, Senior State Officials and other dignitaries attended the ceremony.

Full Court Virtual Farewell to Hon'ble Sri Justice M.S. Ramachandra Rao on his lordship's transfer to High Court of Punjab and Haryana, Chandigardh on 09.10.2021:



The Full Court of the High Court for the State of Telangana bid farewell to the Hon'ble M.S. Ramachandra Rao on his lordship's transfer to High Court

of Punjab and Haryana, Chandigarh on 09.10.2021 through Virtual Mode. Hon'ble Judges of the High Court, Chairman, Bar Council of Telangana, Advocate General, the President, High Court Bar Association, Registrars of the High Court, and other dignitaries virtually attended the farewell. His lordship's esteemed endeavours, accomplishments, and landmark judgments were mentioned in high regard by various speakers on this occasion.

#### Swearing in ceremony of 7 newly appointed High Court Judges on 15.10.2021:





Hon'ble the Chief Justice Sri Satish Chandra Sharma administered the oath to 7 newly appointed/elevated Judges of the High Court for the State of Telangana, namely Hon'ble Smt. Justice P. Sree Sudha, Hon'ble Dr. Justice C. Sumalatha, Hon'ble Dr. Justice G. Radha Rani, Hon'ble Sri Justice M. Laxman, Hon'ble Sri Justice N. Tukaramji, Hon'ble Sri Justice A. Venkateshwara Reddy and Hon'ble Smt. Justice P. Madhavi Devi on 15.10.2021 in a ceremony held in the First Court Hall of the High Court. Hon'ble Judges of the High Court, Advocate General, Asst. Solicitor General of India, Registrars of the High Court, President, Bar Association, High Court for the State of Telangana attended the

- program. The program was live webcasted on social platforms and thousands of Advocates and public watched the program online.
- Full Court Farewell to Hon'ble Sri Justice T. Amarnath Goud on his lordship's transfer to High Court of Tripura, Agartala on 21.10.2021:



The full court of the High Court for the State of Telangana bid farewell to the Hon'ble Sri Justice T. Amarnath Goud on his lordship's transfer to High Court of Tripura, Agartala on 21.10.2021. Hon'ble Judges of the High Court, Chairman, Bar Council of Telangana, Advocate General, the President, High Court Bar Association, Registrars of the High Court, and other dignitaries took part in the farewell. His lordship's esteemed endeavours, accomplishments, and landmark judgments were mentioned in high regard by various speakers on this occasion.

Swearing in ceremony of Hon'ble Sri Justice Ujjal Bhuyan on 22.10.2021:



Hon'ble the Chief Justice Sri Satish Chandra Sharma administered the oath to Hon'ble Sri Justice Ujjal Bhuyan on 22.10.2021 in a ceremony held at the First Court Hall of the High Court. Hon'ble Sri Justice Ujjal Bhuyan was transferred from Bombay High Court to the High Court for the State of

Telangana. Hon'ble Judges of the High Court, Advocate General, Asst. Solicitor General of India, Registrars of the High Court, President, Bar Association, High Court for the State of Telangana attended the program. The program was live webcasted on social platforms and thousands of Advocates and public watched the program online.

#### Swearing in ceremony of Hon'ble Smt. Justice K. Lalitha Kumari on 15.11.2021:



Hon'ble the Chief Justice Sri Satish Chandra Sharma administered the oath to Hon'ble Smt. Justice K. Lalitha Kumari on 15.11.2021 in a ceremony held at the First Court Hall of the High Court. Hon'ble Hon'ble Smt. Justice K. Lalitha Kumari was transferred from the High Court of Andhra Pradesh to the High Court for the State of Telangana. Hon'ble Judges of the High Court, Advocate General, Asst. Solicitor General of India, Registrars of the High Court, President, Bar Association, High Court for the State of Telangana attended the program. The program was live webcasted on social platforms and thousands of Advocates and public watched the program online.

#### Inauguration of Hyderabad International Arbitration and Mediation Centre (HIAMC) on 18.12.2021:



HIAMC Inauguration on 18.12.2021

On 18.12.2021 India's first International Arbitration and Mediation Centre (IAMC), the International Arbitration and Mediation Centre (HIAMC), was inaugurated by the Hon'ble Chief Justice of India, Sri Justice N.V. Ramana garu. Before this inauguration, on 04.12.2021, a curtain raiser and stakeholder's conference was held at Hyderabad International Convention Centre (HICC), Kondapur, Hyderabad. Hon'ble the Chief Justice of India, Hon'ble Sri Justice N.V. Ramana, Hon'ble the Chief Justice, High Court for the State of Telangana and Hon'ble the Chief Minister of Telangana Sri K. Chandrashekar Rao graced the occasion. Hon'ble Judges of the Supreme Court, Hon'ble Sri Justice L. Nageshwar Rao, Hon'ble Sri Justice B. Subhash Reddy, Hon'ble Justice Hima Kohli, Hon'ble Retired Judge of the Supreme Court Hon'ble Sri Justice R.V. Raveendran, Hon'ble Judges of the High Court, Ministers of Telangana Government have attended the curtain raiser. Panel Sessions were held in the afternoon session, where Panellists consisting of Hon'ble Judges of Supreme Court and High Court enlightened the attendees on the importance of Arbitration and Mediation and importance of International Arbitration and Mediation centre in the global economy which is fast erasing the borders with the use of various technologies.

Speaking on the occasion of the inauguration, his lordship, the Chief Justice of India has stated that, the IAMC would emerge as one of the top destinations for arbitration and mediation due to Hyderabad being strategically located, the IAMC won't be confined to settling commercial disputes, but also resolve disputes related to the common people. The IAMC would be a boon for companies and organisations, both Indian and international, to resolve their disputes.



Curtain Raiser on 04.12.2021

Hon'ble Judges of the Supreme Court Hon'ble Sri Justice L. Nageswara Rao and Hon'ble Ms. Justice Hima Kohli, former Judge of the Supreme Court Hon'ble Justice R.V. Raveendran, Hon'ble the Chief Justice of Telangana, Hon'ble Sri Justice Satish Chandra Sharma, Chairperson, Human Rights Commission Hon'ble Sri Justice G. Chandraiah, and the Cabinet Ministers of Telangana, Sri Mahmood Ali, Sri KT Rama Rao and Sri Indrakaran Reddy graced the occasion.

# Ten Court Complex inauguration at Warangal by Hon'ble the Chief Justice of India on 19.12.2021:



Hon'ble the Chief Justice of India, Sri Justice N.V. Ramana inaugurated the newly constructed Ten (10) Courts Complex at Warangal along with the Model Family Court and POCSO Courts in the District Court Complex, Warangal on 19.12.2021. Hon'ble the Chief Justice, High Court for the State of Telangana, Hon'ble Sri Justice P. Naveen Rao, Administrative Judge, Warangal District, Hon'ble Judges of the High Court, Registrars of the High Court, President, Bar Association of Warangal, the Pril. District and Sessions Judge, Warangal and other Judicial Officers of the District, Staff of the District Court, and other public attended the program. The event was hugely successful. The program was live webcasted on social media platform and thousands watched the program online.



Under the direction of Hon'ble Sri Justice P. Naveen Rao, the Ten Court Complex and the Family Court and POCSO court have been developed into Model Courts with all the amenities and facilities recommended by Hon'ble the Supreme Court and few additional facilities which have been introduced for the first time in the Indian Judiciary.



Hon'ble the Chief Justice of India released a coffee table book, titled 'The Court and the Courtyard' on this occasion, which documented the planning, and the efforts of various stakeholders that were put into the project. His lordship launched few e-services viz., Justease, developed to simplify the daily court business of the Judicial Officers, Advocates, Prosecution Officials and Police Department, a library software module developed under the guidance of Ms. Nishika Patrudu by Sri Amar, System Officer, Warangal and his lordship also released few brochures on this occasion.





# Some of the important and latest Judgments delivered by the Hon'ble Judges of this High Court

#### Hon'ble the Chief Justice Sri Satish Chandra Sharma

**Subject:** Section 30 of the Food Safety and Standards Act, 2006.

Case Details: Sri Kamadhenu Traders Vs. The State of Telangana in WP 19928/2021 and Batch.

(Click here for full Judgment)

Date of Judgment: 30.11.2021

Facts: The petitioner before this Court, which is a proprietorship firm engaged in the business of wholesale distribution and retailing of chewing/chewable tobacco products and cigarettes, has filed this present writ petition being aggrieved by the Notification No.505/FSS- 1/2021, dated 06.01.2021 issued by the respondent No.3/Commissioner of Food Safety, Telangana in exercise of powers conferred under Section 30 of the Food Safety and Standards Act, 2006 (hereinafter called 'FSS Act 2006'). The petitioner has challenged the impugned Notification on the ground that it is illegal, arbitrary, unconstitutional, *ultra vires* the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (hereinafter called, 'COTPA 2003') and is in violation of principles of natural justice and is also in violation of Articles 14 and 19(1)(g) of the Constitution of India.

**Held:** In the considered opinion of this Court, the question of interference by this Court in respect of Notification which is bound to save human lives cannot be faulted with in any manner. The entire globe is facing COVID-19 pandemic and the death rate on account of gutka/pan masala and other tobacco products is more than the deaths which are taking place on account of pandemic. The people are suffering from cancer and other diseases and the restriction imposed is in larger public interest and is a reasonable restriction and in no way offends the right to carry on trade guaranteed under the Constitution. In the light of the aforesaid, this Court does not find any reason to interfere with the impugned Notification and resultantly, the writ petitions are dismissed.



#### Hon'ble Sri Justice Ujjal Bhuyan

**Subject:** Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

Case Details: M/s. Jadala Traders Vs. Andhra Bank, Rep. by its Authorised Officer Warangal Branch, NRR Building, Hanumakonda, Warangal & Another in W.P.No.24960 of 2019.

(Click here for full Judgment)

Date of Judgment: 24.11.2021

**Facts:** Case of the petitioner is that it had availed financial assistance to the tune of Rs.6,00,00,000/- as Secured Over Draft Loan (SOD) from the State Bank of India and thereafter from the respondent – Andhra Bank from its KMC Campus branch, Warangal. Because of unavoidable circumstances, there was default by the petitioner in repayment of the loan amount.

Respondent-Andhra Bank issued demand notice dated 01.02.2019 under Section 13 (2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (briefly referred to hereinafter as the 'SARFAESI Act'), calling upon the petitioner to make payment of the entire amount, which was quantified at Rs.6,28,28,555-00. Petitioner submitted representation (objection) on 03.4.2019, further seeking some time for repayment of the installments. Respondent-Andhra Bank replied, vide letter dated 12.4.2019 stating that the loan account could not be rescheduled.

According to the petitioner, respondent-Andhra Bank while issuing the demand notice under Section 13 (2) of the SARFAESI Act, had not taken into consideration the Circular dated 01.01.2019 issued by the Reserve Bank of India. It is stated that as per the said Circular respondent-Andhra Bank had no authority to classify the loan account of the petitioner as Non-Performing Asset (NPA) as on 22.01.2019.

Notwithstanding the same, respondent-Andhra Bank, all of a sudden and without issuing any possession notice, directly issued sale notice dated 07.10.2019 fixing e-auction on 15.11.2019.

**Held:** As per the sale notice dated 07.10.2019, the date of auction was fixed on 15.11.2019. Thus clear 30 days time was provided. That being the position, the

contention advanced on behalf of the petitioner that there was violation of the procedure laid down in Rule 8 (6) and Rule 9 (1) of SARFAESI Rules, cannot be sustained.

That brings us to the contention of the petitioner that respondent had failed to consider the Circular of the Reserve Bank of India dated 01.01.2019 regarding restructuring of financial assistance advanced to MSME sector. In this connection we may mention that respondent had considered the above claim of the petitioner in its meeting held on 22.8.2019. After threadbare discussion the Frame Work Committee opined that petitioner was mainly doing gold business and the purpose for which the open cash credit limit was sanctioned to the petitioner i.e. processing of cotton which is MSME activity was not being carried out by the petitioner. Also petitioner had taken on lease M/s. Siddardha Cotton Ginning and Pressing Industry account which was a NPA with the Andhra Pradesh State Financial Corporation.

Therefore, the Welfare Committee resolved that the relaxation terms applicable to MSME units for restructuring would not be available to the petitioner. In view of the above, the aforesaid contention of the petitioner also fails.

Therefore, on a totality of the facts and circumstances of the case we are of the considered opinion that the writ petition has to fail both on the point of alternative remedy as well as on merit.



#### Hon'ble Sri Justice A. Rajasheker Reddy

**Subject:** Director of Agricultural Marketing, Hyderabad to handover the Fruit Market land at Gaddiannaram to Health, Medical and Family Welfare (C) Department, for construction of Super Speciality Hospital and shift the Fruit Market to Logistic Park at Batasingaram village.

Case Details: The Wholesale Fruit Commission Agents Association Vs. The State of Telangana in WA Nos.455 & 470 of 2021, CC No.1317 of 2021, WP Nos.22754; 23784; 26192 & 26441 of 2021.

(Click here for full Judgment)

**Date of Judgment: 13-12-2021.** 

Facts: WA Nos.455 & 470 of 2021 arise out of the common order dated 01-09-2021 passed in WP Nos.18801 & 15196 of 2021 whereby and where under the learned single Judge dismissed the said writ petitions, the former one filed to declare GO Rt.No.397, Agriculture and Co-operation (MKTG.II) Department, dated 03-08- 2021 which permitted the Director of Agricultural Marketing, Hyderabad to handover the Fruit Market land at Gaddiannaram to Health, Medical and Family Welfare (C) Department, for construction of Super Speciality Hospital and shift the Fruit Market to Logistic Park at Batasingaram village; and the latter one assailing the action of the respondents in contemplating to demolish the structures at the Fruit Market yard, Gaddiannaram, as being illegal and arbitrary and infringement of their right to trade. While dismissing the writ petitions, the learned single Judge, granted one month's time to shift from the existing Fruit Market at Gaddidarrnam to Batsingaram and the Government was also directed to provide assistance to the traders in shifting their business.

Held: The writ appeals and the writ petitions stand disposed of by placing the undertaking given by the learned Special Government Pleader appearing for the State Government on record. Since full-fledged facilities are being provided, the members of the Wholesale Fruit Commission Agents Association and other Licensees/petitioners in the writ petitions are allowed time for a period of one month from today during which period they can shift their business to the market area at Batasingaram with option to continue their business in the present market place, in any case not later than one month from today. We hope that the respondent-authorities will cause to escalate the works at the market area and complete the works well in advance within the time now granted including shifting of cold storages, if not already shifted. It is needless to mention that the facilities should include arranging for a primary health centre with Medical Doctor and basic first-aid kits, Drinking water, place for Canteen & Toilets.



#### Hon'ble Sri Justice P. Naveen Rao

**Subject:** Misconduct - disciplinary proceedings- Reduction of Punishment.

Case Details: Union of India 2 others Vs Sri Y.R. Gettiyawar, Hubli in WP 21082/2005. (Click here for full Judgment)

**Date of Judgment: 25-11-2021** 

**Facts:** Applicant joins service as Ticket Collector and earned promotions as Travelling Ticket Examiner, Head Travelling Ticket Examiner (HTTE), and Travelling Ticket Inspector (TTI). The scale of pay of HTTE was 5000-8000/- and scale of pay of Travelling Ticket Examiner was 5500-9000/-.

On the allegation of committing misconduct while working as HTTE, disciplinary proceedings were initiated against the applicant. First charge memo was issued on 3/11.03.1988 and on 8/14.09.1988 revised charge memo was issued containing three charges. The substance of the allegation of first charge is, deliberately with an intention to mislead the gullible public, applicant allowed two passengers, by name, V.S.Kulkarni and P.K.Kurlarni in S-4 compartment by collecting an amount of 50/- from them, not issuing receipts with an intention to appropriate the money for his personal use. The allegation in second charge though he produced correctly is, the private railway cash in the Vigilance Check at the first instance, he subsequently produced excess and unaccounted amount of 301/- from his pocket, which included the unauthorized amount of 50/- from two passengers. The allegation in third charge is, on 19/20.05.1993 he allowed a passenger travelling with ticket bearing No.34013, Ex.UBL-SURM dated 16.05.1993, though the ticket was no domestic longer valid. In the enquiry, the Enquiry Officer held all three charges as proved.

Based on the findings recorded by the Enquiry Officer, the Disciplinary Authority imposed punishment of removal from service. On appeal, the Appellate Authority affirmed the said punishment. In the revision preferred by the applicant, the Revisional Authority modified the punishment to that of reduction to a lower post/grade of HTTE in the scale of 5000-8000/- fixing

his pay at the minimum of the scale i.e., 5000/- for a period of five years with recurring effect.

**Held:** The disciplinary proceedings date back to 1998, that resulted in imposing punishment of removal initially, modified to that of reduction in grade, by the order of the Revisional Authority dated 11.06.2001. On a challenge, the Tribunal partly allowed the O.A.No.672 of 2002 holding that punishment imposed against the applicant amounts to double punishment and not prescribed in Rule 6 of Rules, 1968. The Tribunal has not appreciated the contentions urged by the applicant on the finding recorded by the Revisional Authority. In writ petition No.21082 of 2005 filed by the Railways, this Court stayed the decision of the Tribunal.

Therefore, the issue stands as at the stage of order of the Revisional Authority, dated 11.06.2001. In the meantime, applicant retired from service. Taking due regard to the chronology of events, at this stage remanding the matter to the Revisional Authority to review the punishment imposed by him and to impose lesser punishment is not just and equitable. Therefore, in the peculiar facts of these cases, we are inclined to adopt the middle course as held by the Hon'ble Supreme Court in B.C.Chaturvedi ((1995) 6 SCC 749).

If two employees are alleged to have committed delinquency forming part of Article-III, but only one employee is proceeded and visited with a grave punishment, whereas another employee is let off, the Court can hold such action as amounting to arbitrary exercise of power and authority. Taking due note of this aspect also and having regard to the conclusion recorded by the Revisional Authority in his order dated 11.06.2001 and in the peculiar facts of these cases, in our considered opinion, the Court should prescribe appropriate punishment commensurate to the delinquency alleged and proved.

In the facts of these cases, the punishment of reduction to lower post/grade of HTTE in the scale of 5000-8000/- fixing his pay at the minimum of the scale of 5000-8000/- is modified to that of reduction to the stage of 5500/- in the scale of 5500-9000/- in the post of Travelling Ticket Inspector for a period of two years with recurring effect.



#### Hon'ble Dr. Justice Shameem Akther

**Subject:** Court below declined to grant consent to the Public Prosecutor for withdrawal from prosecution against the petitioner/accused in both these Criminal Revision Cases.

**Case Details:** Anees Mohiuddin @ Ameer @ Abu Ayub Ansari Vs State of A.P., rep by Public Prosecutor in Criminal Revision Case No. 1296 & 1297 of 2009.

(Click here for full Judgment)

**Date of Judgment: 17-11-2021.** 

Facts: Criminal Revision Case Nos.1296 and 1297 of 2009 are filed by the same petitioner-Anees Mohiuddin, under Sections 397 & 401 of Cr.P.C., challenging the order of the even date, dated 27.06.2009, passed in Crl.M.P.No.1218 of 2006 in C.C.No.1 of 2004 and Crl.M.P.No.1228 of 2006 in S.C.No.225 of 2005 respectively, by the Additional Metropolitan Sessions Judge for the trial of Jubilee Hills Car Bomb Blast Case, Hyderabad, whereby, the Court below declined to grant consent to the Public Prosecutor for withdrawal from prosecution against the petitioner/accused in both these Criminal Revision Cases, observing that they are fit cases to proceed with trial, after framing of charges, if any.

Held: When the Public Prosecutor, having considered every aspect, was of the opinion that continuation of proceedings against the petitioner/accused would be a futile exercise and accordingly sought permission for withdrawal from prosecution, in view of the facts and circumstances, it cannot be said that the subject applications were made with oblique motive or for extraneous considerations and not made in good faith and in the interest of public policy. Under these circumstances, this Court is of the considered view that according permission to the Public Prosecutor for withdrawal from prosecution by the Court below would have been justified. All the circumstances cumulatively show that the Court below ought to have granted consent to the Public Prosecutor for withdrawal from prosecution. In the circumstances of the case, the Court below ought to have allowed the subject applications. The contentions raised on behalf of the petitioner/accused in both these Criminal Revision Cases do merit consideration.

#### Hon'ble Justice G. Sri Devi

**Subject:** Offences punishable under Sections 420, 468, 471, 451, 324, 506 read with Section 34 of I.P.C., and the same was referred to the police under Section 156 (3) of Cr.P.C. for investigation and report.

Case Details: Chandra Gupta Talreja Vs State of Telangana in CRL. P.No.13700 of 2018. (Click here for full Judgment)

**Date of Judgment: 23.11.2021.** 

**Facts:** The facts, which led to filing of the present Criminal Petition, are that the 2nd respondent/complainant (hereinafter referred to as the "2nd respondent") filed a private complaint against the petitioners/A-1 to A-6 before the XVII Additional Chief Metropolitan Magistrate, Hyderabad, for the offences punishable under Sections 420, 468, 471, 451, 324, 506 read with Section 34 of I.P.C., and the same was referred to the police under Section 156 (3) of Cr.P.C. for investigation and report. Basing on the said reference, the police, Begumbazar Police Station, Hyderabad City, registered a case in Crime No.39 of 2017 and took up investigation. After completion of investigation, the police filed charge sheet. The allegations in the charge sheet are that the 2nd respondent is the wife of Shrichand Kumar Talreja and in the year 1970, A-1 and her husband and her father-in-law, V.G.Talreja, constituted a Firm by name Pamul Industries and got it registered with the Registrar of Firms vide Registration No.964 of 1970, dated 25.02.1970. Thereafter, A-1 with dishonest intention to cheat the husband of the 2nd respondent and to grab the share, submitted Form No.V i.e., notice of change in the constitution of Firm or of the dissolution of the Firm without the knowledge of the husband of the 2<sup>nd</sup> respondent by showing the name of the husband of the 2<sup>nd</sup> respondent as Outgoing Partner with forged signature and included the names of A-2 and one Rajendra Kumar in the said Firm, dated 18.08.1988, as Incoming Partners, but it was rejected due to mismatch of signatures of the husband of the 2nd respondent. Again A-1 in collusion with A-2 prepared an affidavit and filed it before the Registrar of Firms stating that the signature submitted is that of the present signature of the husband of the 2nd respondent.

In the year 1993, A-1 submitted Form No.V and mentioned the names of A-2 and Rajendra Kumar as outgoing partners and took the entire Firm in the

names of A-1 and late V.G.Talreja, father-in-law of the 2nd respondent. It is also stated that in the year 1999, V.G.Talreja expired and in the year 2010, A-1 submitted Form No.V by mentioning that A-2 is Incoming Partner and V.G. Talreja was Outgoing Partner and got it registered in the name of A-1. Thereafter, the husband of the 2nd respondent died on 15.02.2015 and after the death of her husband, 2nd respondent demanded her share, but the accused refused the same. It is further alleged in the charge sheet that on 01.01.2017 at about 8.30 P.M., when the 2nd respondent and her family members were present in the house, the petitioners came to her house and forced her to sign on N.O.C., and when she refused the same, A-1 beat her and abused her in filthy language and threatened with dire consequences and fled away from the spot. A-1 to A-4 are the present owners of Firm titled as Pamul Industries, which clearly shows that A-1 and A-2 colluded with each other with

dishonest intention to cheat the 2nd respondent and her family members in order to grab the share of the husband of the 2<sup>nd</sup> respondent by forging the signatures of the husband of the 2<sup>nd</sup> respondent and transferred into their names and when they questioned about their share, they beat one Dinesh Sharma and threatened with dire consequences. The said charge sheet was taken cognizance as C.C.No.230 of 2018.

**Held:** On over all consideration of entire material placed on record and the contentions urged before this Court by the learned Counsel for the petitioners and learned Counsel for the 2nd respondent and the law declared by the Apex Court in the judgments referred supra, it is suffice to conclude that the contentions raised by the learned Counsel for the 2nd respondent are without any substance and the material produced before this Court, directly indicates the *mala fides* in prosecution of criminal proceedings against the petitioners, so also, by abuse of process of the Court and as an arm twisting method to bring the petitioners to the terms of the 2<sup>nd</sup> respondent and to cloak a civil dispute with criminal nature, she has resorted to criminal litigation.

In view of my foregoing discussion, I find that it is a fit case to exercise inherent jurisdiction under Section 482 Cr.P.C. to quash the proceedings against the petitioners.

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

**Subject:** Sections 18 5B, 207 and 19 (f) and 216 of the Central Motor vehicles Rules – Police do not have the power to detain/seize the vehicle on the ground that tits driver/rider drove/rode in an intoxicated condition.

Case Details: Prannoy Pandy Vs The State of Telangana in WP Nos.1647 etc., of 2021.

(Click here for full Judgment)

**Date of Judgment: 29-10-2021.** 

**Facts:** The challenge, in this entire batch of writ petitions, is to the power of Police Officers to seize the vehicle from its driver/ rider, who is in an intoxicated condition.

**Held:** In view of the above said discussion and the relevant provisions and also considering the principle laid down by the Apex Court as well as this Court, this Court is of the considered view that the following directions are required to be issued to the Police Authorities to be followed:

- (a) If the driver / rider of the vehicle is found under the influence of Alcohol, he/she should not be allowed to drive the vehicle. However, if the police finds other person accompanying the driver/rider not in intoxicated condition and having a valid driving license, shall permit such person to drive the vehicle without seizing/ detaining the vehicle, subject to Section 202 of the M.V. Act, 1988; (b) If there is no other person other than the person who drives the vehicle in an intoxicated condition, then the concerned Police Officer or the intoxicated driver shall immediately inform any nearest relative or friend to take back the custody of the vehicle;
- (c) If no one comes to take back the custody of the vehicle, then the concerned Police Official shall temporarily take possession of the vehicle, and keep the vehicle in a nearest police station or any other appropriate authorized place for safe custody. However, it is made clear that the Police do not have power to detain / seize vehicle on the ground that its driver/rider drove it in an intoxicated condition.
- (d) The Police or any other Official who has the custody of such vehicle shall release the same either to the owner or any authorized person on production of certificate of registration (RC) of the said vehicle, proof of identity and a valid driving license;
- (e) If the concerned Police come to a conclusion that prosecution of driver or owner or both is necessary, he shall file charge sheet against hi m/them before the concerned Magistrate within three (03) days from the date of seizure of

vehicle. The vehicle shall be released by the Officer who detained it after prosecution is completed under intimation to the concerned Regional Transport Authorities;

- (f) Learned Magistrates are directed to receive the charge sheets within three (03) days from the date of seizure in compliance of Rule 448-A (iv) of the Telangana State Motor Vehicles Rules, 1989 if the charge sheets are otherwise in order.
- (g) The Police Officers of the Stat e are directed to strictly follow the procedure laid down under Rule 448-A of the T.S. Motor Vehicles Rules, 1989.
- (h) If no one claims the custody of vehicle, the police shall take necessary steps in accordance with law;
- (i) Any breach of the above directives will amount to Contempt and necessary proceedings will be initiated against the concerned Police.
- iii) With the above directions, this batch of Writ Petitions is disposed of.
- iv) However, in the circumstances of the case, there shall be no order as to costs.



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

**Subject:** Judgment of the trial Court, on the basis of the statements under Section 164 Cr.P.C. and Ex.P1 complaint, is unsustainable.

**Case Details:** C. Giriprasad Babu son of Dasarath...Vs. The State ACB, Nizamabad Ranga, Nizamabad, Represented by its Spl.Public Prosecutor, High Court of Telangana, at Hyderabad. In Criminal Appeal No.1498 of 2008.

(Click here for full Judgment)

**Date of Judgment:** 05-10-2021.

**Facts:** This appeal is filed assailing the judgment dated 18.11.2008 in CC.No.32 of 2003 passed by Principal Special Judge for SPE & ACB Cases-cum-IV Additional Chief Judge, City Civil court, Hyderabad, Where under the appellant was convicted and sentenced to undergo imprisonment for a period of one year and pay fine of Rs.1,500/-, in default to undergo simple imprisonment for a period

of three months for the offence punishable under Section 7 of the Prevention of Corruption Act, 1988 (for short 'the Act') and further sentenced to undergo rigorous imprisonment for a period of one year and pay a fine of Rs.1,500/-, in default to undergo simple imprisonment for a period of three months for the offence punishable under Section 13(1)(d) read with Section 13(2) of the Act.

Held: The contentions of the learned Standing Counsel for ACB that P.W.2 was gained over by the defence side and he was cross examined after 10 months and the evidence of P.W.2 in chief examination is very clear and the same is supported by P.W.4 are without merit. P.Ws.2 and 4 spoke about the pre-trap and post-trap proceedings but nothing is spoken by them regarding alleged demand made to P.W.1 by the accused officer on 05.09.2002 and 07.09.2002. This Court finds that there are lacunae in the case of the prosecution so far as demand of bribe amount is concerned. The prosecution has failed to prove the demand of illegal gratification and thus, the conviction of the appellant vide judgment of the trial Court, on the basis of the statements under Section 164 Cr.P.C. and Ex.P1 complaint, is unsustainable.



#### Hon'ble Dr. Justice C. Sumalatha

**Subject:** Order granting temporary injunction – petitioner can seek police aid for implementation of the said order invoking Section 151 CPC.

Case Details: Talla Srinivas Goud Vs Ghanapuram Srinivas Reddy in Civil Revision Petition No.3697 of 2018.

(Click here for full Judgment)

**Date of Judgment: 23.11.2021.** 

**Facts:** Challenge in this civil revision petition is the order of the Court of Junior Civil Judge, Medak in I.A.No.164 of 2017 in O.S.No.07 of 2015, by which the learned Judge dismissed the petition filed by the revision petitioner herein under Section 151 C.P.C. seeking police aid, with an observation that the aggrieved party though obtained an order of temporary injunction cannot seek for police aid for implementation of the said order invoking Section 151 CPC and if necessary, has to file an application for contempt under Order 39 Rule 2-A C.P.C. or to resort to Order 21 Rule 32 C.P.C.

Held: Thus, it is clear that inherent power if necessary to meet the ends of justice or to prevent abuse of process can be exercised by the Civil Court invoking Section 151 CPC and it has got ample jurisdiction to grant police aid. It has to be observed that powers granted under Section 151 CPC are not limited expressly in any other provisions of the Code of Civil Procedure and wide discretion is given to the Courts to aid the aggrieved party and for proper implementation of its Order. The shield granted through an order of injunction is of no use, if the Court cannot come to aid from the attempted invasion. Therefore, this Court is of the opinion that the observations made by the learned Judge while not granting police aid are unsustainable. Having regard to the facts and circumstances of the case, the learned Judge ought to have granted police aid. The duty of the Court is to protect rights of the parties and all orders should ride for the said end. Thus, after all is said as above, before parting with the order, this Court considers desirable to enunciate the following aspects for ready reference of the Courts below: -

- 1. The duty of the Court is not only to protect the rights and interest of the parties, but also to see that its orders are properly implemented.
- 2. Procedure which would meet the ends of justice or which would prevent the abuse of process of the Court should always be followed, as the procedure is handmaid of justice.
- 3. All revenue and police authorities are under obligation to assist the Courts (civil or criminal) of all cadres for rendering substantial and complete justice to the parties.
- 4. Breach of orders of the Courts of Justice should be viewed seriously.
- 5. Grant of an order is of no use if its implementation cannot be fructified.
- 6. Absence of specific provision of law should not bar the aggrieved of an appropriate remedy. In such cases, inherent powers of the Court should be invoked to protect the rights of the parties.

- 7. Granting police aid to prevent violation of an order of temporary injunction is always better and desirable, than initiating contempt proceedings or invoking other provisions of law after the order of temporary injunction of the Court is breached.
- 8. Courts have got ample power to invoke Section 151 C.P.C. to prevent abuse of process of law.
- 9. An application under Section 151 C.P.C. to grant police aid to prevent breach of an order of temporary injunction is well maintainable.
- 10. In deserving cases, police aid can be granted to subserve the ends of justice.
- 11. Unless and until the Court is satisfied that grant of police aid would help in mitigating grave situations such an order should not be granted.

By the foregoing discussion and the observations made, the civil revision petition is allowed. The order dated 06.02.2018 passed by the Junior Civil Judge, Medak in I.A.No.164 of 2017 in O.S.No.7 of 2015, is set aside. The petitioner may approach the jurisdictional police station for grant of aid for proper implementation of the order of temporary injunction through an appropriate application and in case such a request is made, the jurisdictional police shall grant aid till the subsistence of the order of temporary injunction.



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

Subject: Order VII Rule 7 of CPC and specific performance.

Case Details: Namboori Janaki died per L.Rs and Others Vs Gurram Hanumantha Rao in Appeal Suit Nos.2361 & 2429 OF 2001.

(Click here for full Judgment)

**Date of Judgment: 22-12-2021.** 

**Facts:** Both these appeals assail the judgment and decree dated 18.07.2001 in O.S.No.6 of 1993 on the file of the Senior Civil Judge at Khammam, whereunder and whereby the suit filed by the plaintiff, who is the appellant in A.S.No.2429 of 2001, was partly decreed rejecting specific performance and directed the defendant, who is the appellant in A.S.No.2361 of 2001, to refund a sum of

Rs.1,60,000/- received by him as part sale consideration with interest 18% per annum.

**Held:** A close scrutiny of the facts in the said cases would show that there were no pleadings in the suits in respect of the reliefs which were granted. Further, no opportunity was given to the party affected by such a relief before granting such relief. In the present case, the plaintiff's own pleadings show the payment of sale consideration of Rs.1,60,000/- and it was adjudicated when there was denial from the defendant.

Ultimately, there was a finding from the trial Court with regard to payment of Rs.1,60,000/-, and such amount falls within the parameters under which the power to be exercised under Order VII Rule 7 of CPC. Therefore, I do not find any material to take different view than what was taken in the judgment of the trial Court. In fact, the said judgment is inconsonance with the principles laid down by the Apex Court in Rajendra Tiwary v. Basudeo Prasad ((2002) 1 SCC 90). In Firm Sriniwas Bam Kumar v. Mahabir Prasad (AIR 1951 SC 177), which was referred in Rajendra Tiwary's case, the suit was filed for specific performance, and though the defendant denied the execution of agreement, admitted that the amount which is mentioned under the sale agreement was in fact received as a loan. On the basis of such admission, though the Court denied the specific performance, has granted relief of recovery of such amount from the defendant. That decision squarely applies to the present facts of the case. Therefore, I do not find any material illegality in the judgment of the trial Court in directing the defendant to refund the amount of Rs.1,60,000/-, which the defendant received.





## Statement of work done in the High Court as on 31-12-2021

NATURE OF CASES	PENDING AT THE BEGINNING OF THE MONTH I.E., AS ON 01.10.2021	INSTITUTIONS FROM 01.01.2021 TO 31.12.2021	DISPOSALS FROM 01.10.2021 TO 31.12.2021	PENDENCY
(A) ORIGINAL SIDE (CIVIL)	136772	14019	7436	143355
(B) APPEALLATE SIDE (CIVIL)	63292	1220	2368	62144
(C) CRIMINAL SIDE	35200	2941	3611	34530

#### **GRAND TOTAL:**

GRAND TOTAL OF	200064	15239	9804	205499
CIVIL CASES				
<b>GRAND TOTAL OF</b>	35200	2941	3611	34530
CRIMINAL CASES				
<b>GRAND TOTAL OF</b>	235264	18180	13415	240029
MAIN CASES				



**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 31-12-2021

SL. NO.	CAT	EGORY		SANCTIONED STRENGTH	WORKING STRENGTH	VACANCIES
	DISTRICT JUDGES  Category No. of Officers					
		posts	working			
1	District and Sessions Judges working under 65% quota	94	77 (Including 44 regular officers and officers working under Rule 14- 10 officers and Rule 15 – 23 officers)	144	105	39
	District and Sessions Judges working under Direct Recruitment under 25% quota	36	23			
	District and Sessions Judges working under Accelerated Recruitment under 10% quota	14	5			
2	SENIOR CIVIL JUDGES			102	70 (Including 25 (4- 21) Senior Civil Judges working under Rule 14)	32
3	JUNIOR CIVIL JUDGES			228	227 (excluding 25 (4- 21) temporarily promoted Senior Civil Judges	1
			TOTAL	474	402	72

#### **FILLING UP OF VACANCIES IN JUDICIAL SERVICE:**

## DISTRICT JUDGE (ENTRY LEVEL) UNDER ACCELERATED RECRUITMENT BY TRANSFER FOR THE YEAR 2021:

As directed, seven (07) vacancies are notified on 09.04.2021, and placed the Notification along with the application/bio-data proforma on the website of the High Court, vide Notification No. 999/2021-RC, dated 12.04.2021. Further, letters were addressed to all Principal District Judges/Unit Heads in the State of Telangana on

12.04.2021, informing the issuance of the said Notification and requested to circulate the same among the Senior Civil Judges working in their Units. As on the last date 09 applications were received.

Written examination was conducted on 21-08-2021 (Saturday) from 10:00 a.m. to 01:00 p.m. (Paper-I Civil Law), and from 02:00 p.m. to 05:00 p.m. (Paper-III English (Translation, Essay writing and Grammar Vocabulary) and on 22-08-2021 (Sunday) (Paper-II Criminal Laws) from 10:00 a.m. to 01:00 p.

None of the candidates qualified for viva-voce in the written examination and the same was placed on the official website of the High Court on 10-11-2021.

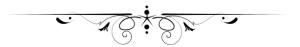
#### **CIVIL JUDGES-2020:**

In view of the imposition of the lockdown in the Country due to COVID-19, the last date for submission of application through online was further extended up to 11:59 PM on 01.07.2020. 850 candidates were qualified in the screening test conducted on 22-11-2020 and were subjected to written examination which was conducted on 03-04-2021 (Saturday) and 04-04-2021 (Sunday) at TKR Engineering College, Meerpet, Hyderabad.

Further, results of the written examination were declared on 09-07-2021 together with the interview schedule. Viva voce was conducted to 99 qualified candidates (93 under direct and 06 under recruitment by transfer) from 19-07-2021 to 26-07-2021. Thereafter merit list was prepared and placed before the committee of the Hon'ble Judges for their approval of the provisional section of candidates. Accordingly, after obtaining approval of the full court of the Hon'ble Judges, on 31-07-2021 the hall ticket numbers of provisionally selected candidates were placed on the official website of the High Court on 31-07-2021.

Further, a letter dated 04-08-2021 was addressed to the State Government to issue orders appointing the provisionally selected candidates by the High Court for 67 posts of Junior Civil Judges out of 87 posts, notified for the year 2020 after verification of antecedents.

The Government of Telangana vide letter d. 18-10-2021, G.O.Ms.No.71, has issued orders appointing 66 candidates.



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



# Sanctioned strength, working strength and vacancy position of Ministerial Staff in District Courts as on 31-12-2021

Sanctioned Strength	7873
<b>Working Strength</b>	5048
Vacancies	2825

SL. NO.	UNIT NAME	TOTAL SANCTIONED STRENGTH OF THE SUBORDINATE STAFF IN ALL CATEGORIES.	WORKING STRENGTH IN ALL CATEGORIES	VACANCIES IN ALL CATEGORIES.
1	ADILABAD	524	415	109
2	KARIMNAGAR	849	509	340
3	KHAMMAM	492	329	163
4	MAHABUBNAGAR	720	421	299
5	MEDAK	489	298	191
6	NALGONDA	695	382	313
7	NIZAMABAD	435	312	123
8	RANGA REDDY	1345	784	561
9	WARANGAL	515	374	141
10	CITY CIVIL COURT, HYDERABAD	800	505	295
11	CITY SMALL CAUSES COURT, HYDERABAD	155	101	54
12	MSJ COURT, HYD.	674	493	181
13	PRINCIPAL SPL. JUDGE FOR CBI CASES, HYD	180	125	55
	TOTAL	7873	5048	2825

## FILLING UP OF VACANCIES IN THE SUBORDINATE COURTS IN ALL THE DISTRICTS IN THE STATE OF TELANGANA:

The computer based online examinations were conducted in 59 centers in the State of Telangana from 04-11-2019 to 07-11-2019 in three (03) shifts per day for 1539 posts. Apart from the same, skill tests were conducted to the qualified candidates for the technical category posts viz., Stenographer Grade –III, Typist and Copyist. That after conducting computer based examination and skill tests, the qualified candidates in the ratio of 1:3 as per merit, were subjected to Viva-voce (oral interview) by the Principal District Judge and the two Judicial Officers as members, constituted by the High Court; that on receipt of the oral interview marks from the Interview Boards, Post and unit wise merit lists were prepared, and the lists containing the hall ticket numbers of

provisionally selected candidates, have been hosted in the official website of the High Court.

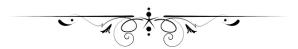
As the Unit Heads are the appointing authority to Judicial Ministerial posts in their Unit; that after satisfying with the qualifications and eligibility of the candidates, the Unit Heads were requested to get the antecedents of the provisionally selected candidates to be verified by the concerned Police Officials, and the said process is completed and appointment orders were issued to 707 candidates under Telangana Judicial Ministerial Services. In respect of 686 posts notified for office subordinates, the recruitment process is under progress.

## FILLING UP OF VACANCIES IN THE HIGH COURT FOR THE STATE OF TELANGANA (U.D. STENO):

The High Court for the State of Telangana has issued Notification No. 1/2020-Estt., dated 14.07.2020 for filling up of two (02) posts of Upper Division Steno by Direct Recruitment in category 3(d) of Division -II of the Telangana High Court Service Rules, 2019, and a total of 60 applications were received. The High Court accepted 53 applications and rejected 07 applications, as the 07 applicants do not possess the requisite qualification as prescribed in the Recruitment Notification. The High Court conducted the Shorthand Test in English at the rate of 120 words per minute and the transcription into longhand thereof on the computer, on 19.12.2020 (Saturday) in the High Court premises; that out of 53 candidates to whom hall tickets were issued, only 45 candidates attended the exam and 08 were absent. Further, evaluation of the answer sheets of 45 candidates was completed, and as per merit, oral interviews were conducted for six (06) candidates on 16.02.2021, and two (02) were selected. A letter was addressed to the Registrar (Administration), High Court for the State of Telangana, who is the appointing authority to the posts in the High Court Services, with a request to take further steps, such as antecedents verification of the selected candidates, etc. Accordingly, after receiving the antecedents reports, appointment orders were issued to the 2 candidates for two posts under U.D. Steno.

## FILLING UP OF VACANCIES IN THE HIGH COURT FOR THE STATE OF TELANGANA (Court Masters and Personal Secretaries to the Hon'ble Judges and Registrars):

The High Court issued Circular vide ROC.No. 1598/2021-RC, dated 28.12.2021 for filling-up of 25 posts of Court Masters and Personal Secretaries to the Hon'ble Judges and Registrars, from among the eligible staff members, by promotion of approved probationers from persons working in Division-II other than category 2 of Telangana High Court Service and by transfer of approved probationers from the Categories of 2 to 12 of Telangana Judicial Ministerial and Subordinate Service Rules, 2018, Categories 1 to 3 of Division-II and Categories 1 & 2 of Division-III of Telangana State Legal Services Authority Service. Further process is under progress.



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

# District wise Statement of the Institutions, Disposal and Pendency of Cases from 01-10-2021 to 31-12-2021

POERABA		CIVIL			CRIMINAL			
SL.NO.	NAME OF THE DISTRICT/UNIT	Institution	Pendency	Disposal	Institution	Pendency	Disposal	
1	2	3	4	5	6	7	8	
1	ADILABAD	931	10247	754	12210	24779	11463	
2	CITY CIVIL COURT, HYDERABAD	5800	57813	5235	89	378	84	
3	CITY SMALL CAUSES COURT, HYDERABAD	115	1286	134	0	0	0	
4	METROPOLITAN SESSIONS JUDGE UNIT, HYDERABAD	38	333	49	16307	80530	13723	
5	TRIBUNALS/SPL.CO URTS, HYDERABAD	156	3896	53	3	66	5	
6	CBI COURTS, HYD	0	2	0	39	1727	58	
7	KARIMNAGAR	2415	27800	1890	9077	52143	7861	
8	KHAMMAM	2125	17487	2518	17682	34093	16871	
9	MAHABOOBNAGAR	4063	26951	3567	5320	36588	4069	
10	MEDAK	2329	21178	1727	12199	27751	11533	
11	NALGONDA	2333	32023	2890	12680	52218	13222	
12	NIZAMABAD	1324	12214	1345	2348	17442	2401	
13	RANGAREDDY	8387	78762	7388	20669	101676	13382	
14	WARANGAL	2133	32425	1675	4382	38552	3198	
	GRAND TOTAL	32,149	3,22,417	29,225	1,13,005	4,67,943	97,870	



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



### Activities of Telangana State Legal Services Authority

#### FROM OCTOBER, 2021 TO DECEMBER, 2021

# Pan India Legal Awareness & Outreach Campaign (from 2<sup>nd</sup> October, 2021 to 14<sup>th</sup> November, 2021)

As per the directions of the Hon'ble Chief Justice of India & Patron-in-Chief, NALSA & Hon'ble Executive Chairman, NALSA, all the Legal Services Institutions in the State of Telangana, have observed Pan India Legal Awareness and Outreach Campaign from 2<sup>nd</sup> October, 2021 to 14<sup>th</sup> November, 2021, with an aim and objective to reach out every citizen of the country, as part of the Azadi ka Amrit Mahotsav.

The Campaign was flagged off by organizing a national level event at New Delhi on 2<sup>nd</sup> October, 2021. Launched by the Hon'ble President of India in the august presence of the Hon'ble Chief Justice of India & Patron-in-Chief, National Legal Services Authority, Hon'ble Union Minister of Law & Justice & Hon'ble Executive Chairman, National Legal Services Authority, Hon'ble Chairman, Supreme Court Legal Services Committee and other esteemed dignitaries at Vignan Bhavan, New Delhi.

As per the directions of NALSA, all the Legal Services Institutions in the State have launched the campaign on 2<sup>nd</sup> October, 2021 by organizing Prabhat Pheris.

As per the directions of the Hon'ble Patron-in-Chief & Chief Justice, High Court for the State of Telangana and the Hon'ble Executive Chairman, Telangana State Legal Services Authority, during the six-week long programmes, all the Legal Services Institutions have organized awareness & outreach programmes, with a sole object of reaching at each and every person residing in the rural, tribal & far-flung areas of the State of Telangana.

During the campaign, special teams comprising a Panel Lawyer, Para Legal Volunteer, NGOs, Asha Workers/Anganwadi Workers, etc. were constituted for conducting Door to Door Campaign and Village visits. The Legal Services Institutions have conducted several Legal Awareness Camps and created awareness through Radio & TV talks, social media, YoutTubem Drawing, Essay Writing Competitions, State level Moot Court Competitions etc. During the Campaign, the total no. of villages in the state i.e., 13,838 have been visited thrice by the special teams as per the directions of the State Authority.

### Activities of State Legal Services Authority:

The Member Secretary, Telangana State Legal Services Authority has interacted virtually with the Chairpersons & Secretaries of District Legal

Services Authorities, Para Legal Volunteers, Panel Lawyers, Bar Members on the strategies to be adopted for making the campaign a great success.

The Member Secretary, TSLSA has also visited all the Judicial Districts and conducted Tele-meetings with all the stakeholders like District Collectors, Superintendent of Police, Panchayat Raj & Rural Department Officials, Local body representatives and motivated them to spread legal awareness among all the villagers in the district.

AS part of the Campaign, the Telangana State Legal Services Authority under the aegis of National Legal Services Authority, and in coordination with DLS, Medak conducted a Camp Module on 24th October, 2021 at Malkapur village, Sangareddy District. Hon'ble Sri Justice Uday Umesh Lalit, Judge, Supreme Court of India & Hon'ble Executive Chairman, National Legal Services Authority, New Delhi, was pleased to inaugurated the Camp Module, at Sangareddy, in the august presence of Hon'ble Sri Justice Satish Chandra Shamra, Chief Justice, High Court for the State of Telangana & Patron-in-Chief, Telangana State Legal Services Authority, Hon'ble Sri Justice Ujjal Bhuyan, Judge, High Court for the State of Telangana and Executive Chairman, Telangana State Legal Services Authority and Hon'ble Dr. Justice Shameem Akthar, Hon'ble Justice G. Sridevi, and Hon'ble Sri Justice T. Vinod Kumar, Judges, High Court for the State of Telangana, and Hon'ble Sri Justice A. Abhishek Reddy, Judge, High Court for the State of Telangana and Administrative Judge of Medak District Unit.

In the said programme, 12 tri-motorcycles were distributed to the physically Challenged persons by the Hon'ble Executive Chairman, National Legal Services Authority.

The Hon'ble Executive Chairman, NALSA, was also pleased to inaugurate the Module Camp digitally and also launched the Theme Song titled "Satvara Nyayam" produced by Telangana State Legal Services Authority and also released the Telugu translated books on NALSA Formats for effective implementation of Legal Services Activities.

Their Lordships were also pleased to distribute Cheque for Rs. One Crore to the parties concerned on their settling a partition dispute in OS.No.25/2015 amicably, by the efforts made by the DLSA, Sangareddy and MLSC, Zaheerabad. Their Lordships also distributed laptops to two visually handicapped persons and one 4G Smart Phone to a hearing-impaired person and further distributed Loan Subsidy

Proceedings to the eligible beneficiaries of Government Welfare Schemes in the presence of District Collector, Sangareddy.

The Member Secretary, TSLSA, the Chairman and the Secretary, DLSA, Medak also participated in the Camp Module. The Hon'ble Executive Chairman, NALSA appreciated the efforts made by the Legal Services Institutions in the State and stressed about the need of providing qualitative legal assistance to the needy and requested both the senior and young Advocates to come forward to render their services Pro-bono to assist the port and the needy for redressal of their grievances.

➤ On 06.11.2021, the Hon'ble Executive Chairman, TSLSA, has conducted video conference with all the Superintendents of Police and Public Prosecutors in the State of Telangana on the topic "Victim Compensation Scheme" and enlightened the participants about the object and the provisions of Victim Compensation Scheme and also about the objectives of Pan India Legal Awareness and Outreach Campaign.

The Director General of Police, the Director of Prosecution, the Add. DGP of SHE teams, Addl. DGP, CID and the Member Secretary, TSLSA have participated in the programme. The Hon'ble Executive Chairman, TSLSA was pleased to launch the website on Pan India Awareness & Outreach Campaign on this occasion.

- ➤ On 25.11.2021, the Hon'ble Executive Chairman, TSLSA and the Hon'ble Chairman, HCLSC have conducted a meeting with the State Level Officials of Insurance Companies, Banks, TSRTC and also Law Officers of High Court for sorting out the strategies for settlement of more number of cases in the National Lok Adalat scheduled on 11.12. 2022. The Member Secretary, TSLSA and the Secretary, HCLSC also participated in it.
- On 04.12.2021, the Administrative Officer, TSLSA has visited Fatima Old Age Home at Falakuma, Hyderabad and enquired about the facilities available to the inmates and distributed food in coordination with NGO.
- ➤ On 06.12.2021, the Hon'ble Executive Chairman, TSLSA has conducted video conference with all the Chairpersons of District Legal Services Authorities in the State and motivated and instructed them for settlement of good number of cases in the National Lok Adalat to be held on 11.12.2021 and making the National Lok Adalat a grand success in the State.
- ➤ On 07.12.2021, the Member Secretary, TSLSA has participated in the Live-in-Programme in Doordarshan (Yadadri) Channel, Hyderabad and

- enlightened the public about the Legal Services Authority Act and the benefits of National Lok Adalat.
- ➤ On 09.12.2021, the Member Secretary, TSLSA has participated in the All India Radio Programme and enlightened the public about the availability of Legal Services Authorities and the benefits of National Lok Adalat under the guidance of the Hon'ble Executive Chairman, TSLSA.
- On 11.12.2021, as per the directions of NALSa and under the guidance of the Hon'ble Executive Chairman, TSLSA, the National Lok Adalat was conducted in the State of Telangana and a total number of 1,81,789 (i.e., 49,540 pre-litigation and 1,32,249 pending litigation) cases were disposed of and an amount of Rs. 1,05,07,88,330/- was awarded as compensation to the beneficiaries. The Telangana State stood in the 5<sup>th</sup> place in the country, in respect of disposal of cases in National Lok Adalat.
- ➤ On 13.12.2021, the Member Secretary, TSLSA has attended the Inauguration of "Free Legal Aid and Family Counselling Centre" as Chief Guest, established at the premises of Munnurukapu (Kapu) Vidyarthi Vasathi Gruham Trust Board (NGO) at Kachiguda, Hyderabad.
- ➢ On 14.12.2021, the Hon'ble Executive Chairman, TSLSA has participated in the virtual interaction meet conducted by the Hon'ble Executive Chairman, NALSA with all the Chairpersons of State Legal Services Authorities in the State in connection with successful holding of National Lok Adalat. His Lordship has appreciated the Telangana State Legal Services Authority for disposing of more number of cases.
- ➤ On 16.12.2021, the Hon'ble Executive Chairman, TSLSA has conducted a meeting of the High Level Committee which has been constituted u/s 16 of Juvenile Justice Act with regard to monitoring of the cases pending in Juvenile Justice Boards (JJB). The Member Secretary and the Prl. Secretary, Department of Home, the Spl. Secretary of Women & Child Welfare Department and a representative of NGO have participated in the meeting.
- ➤ On 17.12.2021, the Member Secretary, TSLSA has participated in the Seminar on Legal Awareness on "NRI Marital Issues Faced by Women Survivors" conducted in collaboration with the Women Safety NRI Wing, Telangana Police and NCW at Hotel Plaza, Begumpet, Hyderabad.
- ➤ On 19.12.2021, on behalf of Telangana State Legal Services Authority, the Administrative Officer, TSLSA has attended the Consultation Meet of NALSA held at Bangalore wherein 10 State Legal Services Authorities

- have participated. The Member Secretary, NALSA has interacted with all the Member Secretaries of SLSAs on the activities of Legal Services Institutions and gave suggestions and directions to the SLSAs.
- On 21.12.2021, the Administrative Officer, TSLSA has participated in the coordination meeting conducted online by the Addl. Director General of Police, Women Safety Wing, Hyderabad in connections with "Operation Muskan-VIII".
- Constitution Day: The Telangana State Legal Services Authority has observed the Constitution Day on 26.11.2021. The entire staff members of the Telangana State Legal Services Authority have read the Preamble of the Constitution along with the Member Secretary and Administrative Officer of TSLSA. The Member Secretary and all the staff members have watched the live streaming of the celebrations of the Constitution Day held at Central Hall of Parliament on 26.11.2021 from 11:00 a.m. onwards. All the District Legal Services Authorities in the State of Telangana have also observed and celebrated Constitution Day and readout the Preamble of the Constitution Day in the presence of Judicial Officers, Members of Bar Association, Staff, Panel Lawyers and Para Legal Volunteers. Rallies were also taken in the districts on this occasion.

All the District Legal Services Authorities in the State of Telangana have conducted 85 camps at various places and about 11,100 public have been benefited.

➤ On 29.12.2021, the Member Secretary, Telangana State Legal Services Authority along with the Secretary, District Legal Services Authority, Ranga Reddy have jointly inspected the Central Prison, Cherlapalli and enquired about the facilities provided to the inmates.

### Activities of District Legal Services Authorities:

- ➤ All the District Legal Services Authorities in the State have observed Pan India Legal Services Awareness & Outreach Campaign in the districts from 2<sup>nd</sup> October, 2021 to 14<sup>th</sup> November, 2021 and conducted various programmes such as Door to Door visits in villages, awareness programmes on availability of Legal Services Activities & NALSA Schemes and Programmes.
- On 30.10.2021, the DLSA, Nizamabad has conducted Module Camp at 'G' convention hall, Nadipally village of Dichpally mandal, Nizamabad district. Hon'ble Sri Justice B. Vijaysen Reddy, Judge, High Court for the State of Telangana has inaugurated the said Module Camp as part of observing Pan India Awareness and Outreach Programme from 2<sup>nd</sup>

October, 2021 to 14<sup>th</sup> November, 2021. Free Medical Camp was organized and stalls of all Departments were set upon the welfare schemes for the knowledge and benefit of the public.



**Disclaimer:** Above statements are compiled on the basis of figures & Information received from the Telangana State Legal Services Authority.



### **Statistics of High Court Legal Services Committee**

#### a) Conducting Lok Adalats:

The High Court Legal Services Committee conducted one (1) Regular Lok Adalat on 11.12.2021 as per the directions of the Hon'ble Chairman, High Court Legal Services Committee, for settlement of various categories of pending cases on the file of Hon'ble High Court and also Pre-Litigation Cases refereed to the Lok Adalat.

Statement showing the number of cases settled in Lok Adalat conducted on 11.12.2021:

SI. N o	Pre- litigatio n cases	Pre- litigatio n cases	PLC Cases Settled Amount (in Rs.)	Pendin	No. of Pendin g Cases Settled	Cases	Total Amount (PLC+Pendin g Cases)
1	14	14	1,21,30,099/ -	519	433	5,92,87,150/ -	7,14,17,249/-

#### b) Providing Legal Aid:

Apart from conducting Lok Adalats, the High Court Legal Services Committee is als providing Legal Aid to the eligible applicants/petitioners for filing Appeals, Writ Petitions etc., before the Hon'ble High Court for the State of Telangana.

Statistical information in respect of Legal Aid provided during the period from October, 2021 to December, 2021:

Sl.No.	Month	SC	ST	Women	General	In Custody	Total
1	October, 2021	1		3	4	3	11
2	November, 2021	1		1	9	7	18
3	December, 2021	1		2	3	5	11
Total		9		6	16	15	40



**Disclaimer:** Above statements are compiled on the basis of figures & Information received from the Telangana State Legal Services Committee.



### **Activities of Telangana State Judicial Academy**

#### (For the period of October, 2021 to December, 2021)

In the context of diversification of complex litigation, explosion in knowledge, along with technological innovation, a judicial officer cannot afford to be static and rigid in his thought and view. It has now become imperative for a judicial officer to keep himself abreast with changing trends both legally and technologically and for this purpose, periodical and continuous judicial training is the need of the hour. Towards this end, the Hon'ble High Court for the State of Telangana issued proceedings in ROC No.2993/2021-B.Spl dated 15.09.2021, by nominating 37 Junior Civil Judges who have completed 5 years of service to undergo refresher course virtually from 20.09.2021 to 08.10.2021 through Cisco Webex video connectivity. The Refresher course consisted of topics on core areas on civil and criminal side pertaining to principles relating to injunctions, appreciation of evidence and that of cognizance of offences, charge and discharge apart from focusing on basic principles of appreciation of evidence on civil and criminal side, types of evidence, burden and standard of proof, circumstantial evidence, evaluation of oral testimony, credibility of witnesses, kinds of witnesses, expert evidence and laws relating to juvenile justice and Protection of Women from Domestic Violence Act.

Hon'ble Sri Justice B. Vijaysen Reddy, Judge, Hon'ble High Court for the State of Telangana has interacted with the trainee officers on an important topic on civil side, viz., "Disposal of interlocutory applications in Civil Courts and certain guidelines for effective disposal" and enlightened the trainees on the intricacies and nuances involved in disposal of the interlocutory applications.

The topic "appreciation of evidence in Civil cases" was dealt with by Smt. E. Tirumala Devi, the then Director of the Academy and clarified the doubts of the trainee officers on the aspects involved in appreciating the oral and documentary evidence in civil cases with reference to relevant case laws.

In the sessions pertaining to cognizance, charge and discharge on criminal side, the resource person Sri M.Rajender, District Judge (Retd.) highlighted the practices to be followed while taking cognizance of a criminal case while emphasizing the principles laid down by the constitutional courts in relevant case laws.

The sessions on the topic "appreciation of evidence in criminal cases" has introduced the participants to the complex process of assessing and appreciating the evidence in criminal cases. The resource person Sri Ajitha Simha Rao, District Judge

(Retd.) dealt with basic principles of appreciation of evidence, kinds of evidence, burden of proof and appreciation of oral testimony apart from discussing the medical and expert evidence with reference to case laws.

The Refresher Course also included interaction with the participants on "Juvenile Justice Laws" and "Protection of Women from Domestic Violence Act" by Sri Dr. S. Srinivas Reddy, Additional Director of the Academy who elaborately discussed the relevant case laws with reference to the legal provisions and clarified the practical doubts raised by the trainee officers.

The Refresher Course also covered other important topics viz., permanent injunctions and execution petitions dealt with by Sri G.V. Krishnaiah, District Judge (Retd), "land laws" dealt with by Sri M. Sunil Kumar, Director of Land Laws and Policies, and the topic "Muslim law of inheritance" by Sri Dr. Shaik Nazim Ahmed Shafi, Professor, NALSAR University of Law.

The Refresher course also included discussion with the trainee officers on judgments rendered by them by Hon'ble Sri Justice B. Seshasayana Reddy, former Judge, High Court of Andhra Pradesh and his Lordship has evaluated few judgments of the trainee officers and enlightened on the finer aspects relating to writing of judgments.

# <u>Training Programme on Juvenile Justice Laws to the</u> Principal Magistrates of JJBs

As per the proceedings of the Hon'ble High Court for the State of Telangana vide ROC No.3384/2021-B.Spl. dated 20.10.2021, the Principal Magistrates of Juvenile Justice Boards in the State of Telangana were nominated to undergo training programme physically for (5) days from 25.10.2021 to 29.10.2021 in the Academy.

The sessions facilitated deliberation on the children in conflict with law, role of JJB Magistrates and the functioning of Juvenile Justice Boards, child in need of care and protection, observations homes, special homes, child welfare committees and also the guidelines of UNICEF in protecting the child rights, adoption etc.

The aspects relating to history and evolution of Juvenile Justice laws and age determination of juveniles are dealt with by Sri Dr S. Srinivas Reddy, Additional Director of the Academy and clarified the doubts of the trainee officers in dealing with the cases involving children in conflict with law with reference to relevant case laws.

The aspects relating to the duties and functions of Child Welfare Committees were discussed by Sri Isidore Philips, Director, Divya Disha. The role of magistrates under Juvenile Justice Acts was discussed by Dr. D. Bala Krishna, Professor, NALSAR, University of Law. The UNICEF scheme pertaining to protecting the child rights and integrated to child protection scheme namely foster care, care of abandoned children and role of orphanages were discussed by Sri David P. Raj, Senior Programme Manager, Division for Child Study, UNICEF. In virtual mode, from Delhi, Sri Anantha Asthana, Advocate of Supreme Court of India, discussed the amendments to Juvenile Justice (Care and Protection of Children) Act 2021. Sri Dr. C. Veerender, Psychologist, discussed the intricacies relating to Juvenile delinquency and disruptive behavioral disturbances, and behavior modification therapy. The role of Forensic Science in cases involving children as victims and accused was discussed by Dr. G. Surender Reddy, Professor and Head of the Department, Appollo Institute of Medical Sciences. Cases involving children in conflict with law and combating child trafficking, their rescue and rehabilitation have been dealt with by Smt. Mamatha Raghuveer Achanta, Founder of Tharuni.

The investigation of cases involving children in conflict with law in child trafficking and the role of police in rescue and rehabilitation of children was deliberated and discussed by Sri Mahesh Bhagavath, IPS, Commissioner of Police, Rachakonda, Telangana. Trial procedure in respect of children in conflict with law was discussed by Sri D.V.R. Tejo Karthik, Administrative Officer of the Academy.

Through virtual mode, experts from National Institute of Mental Health and Neurological Sciences, Bangalore (NIMHANS) interacted with the trainee officers on the juvenile justice system and its response to the child in conflict with law and understanding and analyzing the vulnerabilities of a child in conflict with law. The orientation to psycho social and mental health assessment and demonstration of methods of assessment and issues pertaining to Section 15 of Juvenile Justice (Care and Protection of Children) Act, 2015 and the implementation of the principles embodied under the Section along with relevant case studies and court judgments were also discussed apart from discussing the overview of psycho-social and mental health inventions for child in conflict with law, by the experts from Bangalore.



In the valedictory session, Hon'ble Sri Justice Ujjal Bhuyan, Judge High Court for the state of Telangana, Hon'ble Sri Justice A. Rajasheker Reddy, Judge High Court for the State of Telangana and the President of the Academy, Hon'ble Sri Justice P. Naveen Rao, Judge High Court for the State of Telangana and Member, Board of Governors of the Academy, Hon'ble Justice G. Sridevi, Judge, High Court for the State of Telangana and Member, Board of Governors of the Academy and Hon'ble Dr. Justice C. Sumalatha, Judge, High Court for the State of Telangana, have participated and addressed the trainee Judicial Officers and certificates of participation were distributed to the trainee Judicial Officers on this occasion.

## <u>Virtual Seminar on "Recent Trends in Cyber Crime and Government initiatives in a</u> tackling the same"

On 30<sup>th</sup> October, 2021, the Academy conducted virtual seminar on "Recent Trends in Cyber Crime and Government initiatives in a tackling the same" for all cadres of the Judicial Officers working in the State of Telangana. Sri Rajesh Kumar, IPS, Inspector General of Police, CI Cell, Intelligence, Hyderabad deliberated on Cyber Crime Scenario in Telangana State. Sri Avinash Mohanthi, IPS, Joint Commissioner of Police, Detective Department Hyderabad discussed about the loan apps and the methods of investigation. Sri S.M. Vijay Kumar, IPS, Deputy Commissioner of Police (Traffic), Cyberabad, dealt with the trends in Cyber Crime in the country and government initiatives to curb them. Smt P. Rohini Priyadarshini, IPS, Deputy Commissioner of police (Crimes) Cyberabad, had discussed about the SIM-e.Sim Swap frauds – Modus Operandi and investigation. Sri Devender Singh, Superintendent of Police, CI Cell, Intelligence, Hyderabad, discussed about the digital foot prints for crime and criminal links and its analysis.

## II Basic Course for newly appointed 66 JCJ and I Foundation Course for newly appointed District Judge

Sri Justice Satish Chandra Sharma, the Hon'ble the Chief Justice, High Court for the State of Telangana, has inaugurated the II Basic Course for newly appointed 66 Junior Civil Judges and I Foundation Course for newly appointed District Judge on 1-12-2021 in the Academy, in the august presence of the Hon'ble Sri Justice Ujjal Bhuyan, Judge, High Court for the State of Telangana, the Hon'ble Sri Justice A. Rajasheker Reddy, Judge, High Court for the State of Telangana and President, Telangana State Judicial Academy, Hon'ble Sri Justice P. Naveen Rao and Hon'ble Sri Justice A. Venkateshwara Reddy, Members of Board of Governors of the Academy.



On this occasion, the Hon'ble the Chief Justice has also released a Guide for the Ministerial Officers of District Judiciary, which is prepared by the Academy.



The Hon'ble the Chief Justice Sri Satish Chandra Sharma garu has also addressed the trainee officers by exhorting them to become disciplined and duty minded judicial officers by maintaining punctuality and commitment in rendering timely justice to the needy.



The inaugural session is also attended by Hon'ble Judges of the High Court, Registrar General, and other Registrars of the High Court.



During the course of the training sessions, the Hon'ble Sri Justice B. Vijaysen Reddy, Judge High Court for the State of Telangana interacted with the trainee officers on the topic of Interlocutory Applications for different types of reliefs – intricacies relating thereto. Hon'ble Sri Justice B. Seshasayana Reddy, former Judge, High Court of Andhra Pradesh has dealt with the topic of Execution of decrees and orders, Hon'ble Sri Justice A. Ramalingeshwara Rao, former Judge, High Court of Judicature at Hyderabad for the States of Telangana and Andhra Pradesh has discussed

the nuances of declaration suits – legal aspects in adjudication. Hon'ble Sri Justice M. Seetharama Murti, former Judge, High Court of Andhra Pradesh at Amaravathi has interacted with the trainee officers on the topic of Court room practices on recording of evidence.

# Visit of the Hon'ble Chief Justice of India Sri N.V. Ramana garu to the Telangana State Judicial Academy on 18-12-2021.

On 18-12-2021, the Hon'ble the Chief Justice of India Sri N.V. Ramana garu has descended on the Academy and interacted with the trainee judicial officers.



The Hon'ble the Chief Justice for the High Court of Telangana Sri Satish Chandra Sharma garu, the Hon'ble Sri Justice Ujjal Bhuyan, the Hon'ble Sri Justice A. Rajasheker Reddy, Judge, High Court for the State of Telangana and President, Telangana State Judicial Academy, and Hon'ble Sri Justice A. Venkateshwara Reddy, Member of Board of Governors of the Academy, and other Hon'ble Judges of the State of Telangana also accompanied the Hon'ble the Chief Justice of India.



**Disclaimer:** Above statements are compiled on the basis of Information received from the Telangana State Judicial Academy.



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