

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

[ 3418 ]

**MONDAY, THE THIRTIETH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

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

**WRIT APPEAL NO: 837 OF 2024**

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 20/10/2023 in W.P.No.30083/2022 on the file of the High Court.

**Between:**

1. The State of Telangana, Rep by its Principal Secretary, Industries and Commerce Department, Secretariat, BRKR Bhavan, Hyderabad.
2. The Telangana State Industrial Infrastructure Corporation, (A Government of Telangana Undertaking) 5-9-58/B 6th Floor, Parishrama Bhavan, Basheerbagh, Fateh Maidan, Hyderabad Hyderabad 500004, Rep by its Chairman.
3. The Zonal Manager (FAC), Telangana State Industrial Infrastructure Corporation, Having its office at Phase-1, Opposite to Shapur Nagar Bus Stop, IDA, Jeedimetla, Medchal Malkajgiri District 500055

**...APPELLANTS/RESPONDENT No.1 TO 3**

**AND**

1. M/s. VIC Therapeutics Pvt Ltd, Door No 400, Gruha Lakshmi Heights, Near Bachpan School, Miyapur, R R District, Telangana 500049, Rep by its Chief Executive Officer, Mr Yalamat Ashok.

**...RESPONDENT/WRIT PETITIONER**

2. M/s ZeneraPharma Pvt Ltd, Having its office at Plot No.83/B 84 8796, Phase III, IDA, Cherlapally, Hyderabad 500051, Rep by its Director

**...RESPONDENT/RESPONDENT**

**IA NO: 2 OF 2024**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the order of the learned single judge in Writ Petition No. 30083 of 2022 dated 20.10.2023.

**Counsel for the Appellant: SRI S.RAHUL REDDY, SPL. GP FOR  
ADDL ADVOCATE GENERAL**

**Counsel for the Respondent No.1: SRI CHANAKYA BASA FOR  
M/s. CHANDRASEN LAW OFFICES**

**Counsel for the Respondent No.2: ---**

**The Court made the following: JUDGMENT**

THE HON'BLE THE CHIEF JUSTICE ALOK ARADHE

AND

THE HON'BLE SRI JUSTICE J.SREENIVAS RAO

Writ Appeal No.837 of 2024

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

Mr. S.Rahul Reddy, learned Special Government Pleader attached to the office of the learned Additional Advocate General for the State of Telangana appears for the appellants.

Mr. Chanakya Basa, learned counsel represents M/s. Chandrasen Law Offices for respondent No.1.

2. This intra court appeal is filed against order dated 20.10.2023, passed by a learned Single Judge by which writ petition preferred by respondent No.1 *viz.*, W.P.No.30083 of 2022 has been disposed of.

3. Facts giving rise to filing of this appeal briefly stated are that respondent No.1 is a company engaged in manufacture of pharmaceuticals. Respondent No.1 submitted an application for allotment of plot No.35 on 10.11.2016 to Telangana State Industrial Infrastructure Corporation

(hereinafter referred to as 'the Corporation') for setting up of industry. Thereupon, a provisional order of allotment dated 15.12.2016, was issued to respondent No.1 and respondent No.1 was asked to pay a sum of Rs.1,00,16,325/-. Respondent No.1 deposited the entire amount of sale consideration. Thereupon, a final order of allotment was issued, on 09.05.2017, in favour of respondent No.1.

4. However, the Corporation, by an order dated 07.07.2017, cancelled the provisional order of allotment *inter alia* on the ground that respondent No.1 has failed to comply with the terms and conditions of the provisional order of allotment dated 15.12.2016 and has failed to execute the agreement for sale within the stipulated time. The Corporation, by communication dated 20.04.2019, refunded a sum of Rs.99,59,842/- towards EMD to respondent No.1.

5. Respondent No.1 assailed the aforesaid action in the writ petition. The learned Single Judge, by an order

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dated 20.10.2023, disposed of the writ petition with a direction to the appellants to allot an alternative plot *viz.*, Plot No.63 to respondent No.1. Hence, this appeal.

6. Learned counsel for the appellants submitted that inadvertently, plot No.63 was already allotted to Crenza Pharmaceuticals LS Private Limited on 22.08.2023 and therefore, the same was not available for allotment in favour of respondent No.1.

7. On the other hand, learned counsel for respondent No.1 has invited the attention of this Court to paragraph 15 of the order passed by the learned Single Judge and it has been submitted that the Corporation admitted before the learned Single Judge that plot No.63 is available for allotment.

8. Be that as it may, as a copy of the order dated 22.08.2023 allotting plot No.63 in favour of Crenza Pharmaceuticals Private Limited has been placed on record by the Corporation,

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in the peculiar facts and circumstances of the case, the appeal is disposed of with liberty to the parties to seek modification of the order dated 20.10.2023, passed by the learned Single Judge in W.P.No.30083 of 2022, if so advised.

9. Needless to state that it will be open for the appellants herein to raise all such contentions as are available in law.

As a sequel, miscellaneous petitions, pending if any, stand closed. There shall be no order as to costs.

**SD/- K.SHYLESHI  
DEPUTY REGISTRAR**

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**SECTION OFFICER**

- To
1. One CC to M/s. CHANDRASEN LAW OFFICES, Advocate [OPUC]
  2. One CC to SRI S.RAHUL REDDY, SPL. GP [OPUC]
  3. Two CD Copies

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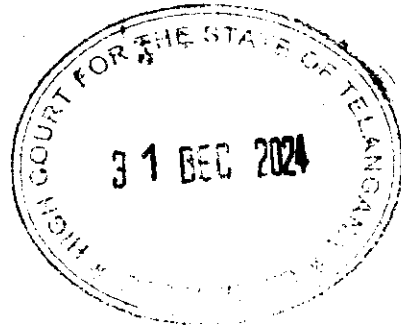
**CC TODAY**

**HIGH COURT**

**DATED:30/12/2024**

**JUDGMENT**

**WA.No.837 of 2024**



**DISPOSING OF THE WRIT APPEAL  
WITHOUT COSTS**

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31/12/24