

HIGH COURT FOR THE STATE OF TELANGANA: AT HYDERABAD

**THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA
AND
THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT APPEAL NO: 113 OF 2022

Writ Appeal under Clause 15 of the Letters Patent Appeal against the order Dt. 21.01.2011 passed in W.P. No. 1531 of 2010, on the file of the High Court.

Between:

Smt.Bh.Durga Naga Laxmi, W/o Prasada Rao Aged 38 years, Employee, R/o 1-9-52/D/3, Ramnagar, Hyderabad.

...Appellant/Petitioner

AND

1. The Authorized Officer, LIC Housing Finance Limited 304 and 305, Mythrivanam, HUDA Complex, Ameerpet, Hyderabad.
2. The Area Manager, LIC Housing Finance Limited 304 and 305, Mythrivanam, HUDA Complex, Ameerpet, Hyderabad.
3. The Regional Manager, No. 15/1, South Central Region, II floor LIC Housing Finance Limited, Bangalore.

...RESPONDENTS

WAMP. NO: 40144 OF 2011

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 award interest @ 18% and the hid amount Rs.2,16,500/-blocked with the respondent corporation for no fault of the petitioner and legal expenses and costs and pass

Counsel for the Appellant: SRI P.UDAYA BHASKARA RAO

Counsel for the Respondents: SRI S.SIVA SHANKER

The Court delivered the following:

**THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA
AND
THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT APPEAL No.113 of 2022

JUDGMENT: *(Per the Hon'ble the Chief Justice Satish Chandra Sharma)*

The present writ appeal is arising out of order dated 21.01.2011 passed in W.P.No.1531 of 2010.

The facts of the case reveal that the writ petitioner came up before this Court by filing a writ petition being aggrieved by order dated 04.12.2009 passed by the Authorised Officer, Life Insurance Corporation Housing Finance Limited forfeiting the amount of Rs.2,16,500/- paid by her towards the sale price of the flat.

While the matter was being heard, learned counsel appearing for Life Insurance Corporation Housing Finance Limited made a proposal to refund the entire amount of Rs.2,16,500/- without interest and the learned counsel appearing for the writ petitioner accepted the proposal to receive the amount. In those circumstances, the writ petition was disposed of based upon the consent of the parties to refund the amount of Rs.2,16,500/-.

Now the present writ appeal has been filed by the appellant/writ petitioner and the prayer is that interest and costs be awarded.

In the considered opinion of this Court, as the order passed by the learned Single Judge was a consent order, the question of awarding costs and interest does not arise.

Accordingly, the writ appeal is dismissed.

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

//TRUE COPY//

SD/-K.SRINIVASA RAO
JOINT REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI P.UDAYA BHASKARA RAO, Advocate [OPUC]
2. One CC to SRI S.SIVA SHANKER, Advocate [OPUC]
3. Two C.D. Copies
4. One Spare Copy.



MRC

PS

HIGH COURT

DATED:17/02/2022

JUDGMENT

WA.No.113 of 2022



**DISMISSING THE WRIT APPEAL
WITHOUT COSTS**

ATM/5
25/8/2022