



2026 INSC 107

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. OF 2026
(Arising out of SLP(C) NOS. 16393-16394 OF 2025)

SYED MOHAMMED SHABBUDDIN

APPELLANT(S)

VERSUS

THE UNION OF INDIA & OTHERS ETC.

RESPONDENT(S)

J U D G M E N T

NAGARATHNA, J.

Leave granted.

2. We have heard learned senior counsel for the appellant and learned senior counsel for the respondent-State and learned ASG for Union of India.

3. The appellant herein had filed WP No.11883/2024 before the High Court for the State of Telangana seeking the following reliefs:

"...to issue a Writ of Mandamus or any other appropriate Writ declaring that the inaction of the respondents in initiating the land acquisition proceedings in lieu of the delivery of possession of the suit schedule land admeasuring Ac.16-19 guntas in Dakhla No.449 in Sy.No.1/1 of Kancha Imarath, Raviryal Village, Maheshwaram Mandal, Ranga Reddy District as per orders

in E.A. No.21 of 2023 in E.P. No.103 2007 in O.S. No.333 of 1986, on the file the I Additional Senior Civil Judge, Ranga Reddy District is arbitrary, illegal and violative of Article 300A Constitution of India and direct the respondents to forthwith initiate land acquisition proceedings in respect of the said land and pay the compensation amount to the petitioner without delay whatsoever in terms of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 together with interest at 18% per annum....."

4. By order dated 04.09.2024, the learned Single Judge of the High Court allowed the aforesaid writ petition. The operative portion of the said order reads as under:

"9. For the aforesaid reasons, this Writ Petition is allowed directing the respondents to initiate and conclude the land acquisition proceedings in respect of the suit schedule land in O.S. No.333/1986 on the file of the Additional Senior Civil Judge, Ranga Reddy District, within a period of four (04) months from today and to pay costs of Rs.1,00,000/- (Rupees One Lakh Only) to the petitioner within a period of eight (8) weeks from today, towards damages for depriving the petitioner of the right to enjoy the property for more than 25 years from the date of the judgment and decree in O.S. No.333/1986, i.e. 15.11.1996."

5. Against the said order, Writ Appeal No.1294/2024 was filed by the respondent-Union of India. The Division Bench affirmed the order of the learned Single Judge by its order dated 18.11.2024. However, the costs of Rs.1,00,000/- which had been imposed by the learned Single Judge was set aside. The relevant portion of the judgment of the Division Bench reads as under:

"10. In view of the aforesaid submissions and in the facts of the case, the order dated 04.09.2024 passed by the learned Single Judge insofar as it directs payment of Rs.1,00,000/- by way of costs for illegal occupation of the land belonging to the respondent No.1, is set aside. The appellants, admittedly, are in possession of the land in question. Therefore, we leave it open to the respondent No.1 to make a claim seeking compensation on account of illegal occupation of the property belonging to him in violation of the constitutional right under Article 300A of the Constitution of India in accordance with law.

11. To the aforesaid extent, the order passed by the learned Single Judge is modified.

12. Accordingly, the appeal is disposed of.

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

6. The respondent-State of Telangana had also preferred Writ Appeal No.304/2025 assailing the very same order of the learned Single Judge passed in Writ Petition No.11883/2024 dated 04.09.2024. Another Division Bench of the High Court by the impugned order dated 12.03.2025 remanded the matter to the learned Single Judge by setting aside the order dated 04.09.2024.

7. Aggrieved by the aforesaid order of remand dated 12.03.2025 as well as orders dated 08.06.2022 and 18.11.2024, only the State of Telangana filed SLP(C) Diary No.54219/2025, the said matter was disposed of by this Court on 10.11.2025 in the following terms as under:

"1. We have heard learned senior counsel for the petitioners including first petitioner-State of Telangana and learned senior counsel for the respondents who has appeared on caveat.

PART A

2. The impugned order dated 12.03.2025 passed in W.A. No.304/2025 is an order of remand as is evident on a reading of 'paragraph 16' of the impugned order.

3. We do not find any reason to interfere with the said order.

4. Hence, delay is condoned. Special Leave Petition is dismissed.

5. Pending application(s), if any, shall stand disposed of.

PART B

6. Insofar as the impugned order in Civil Revision Petition No.3685/2012 dated 08.06.2022 is concerned, we find that there is delay of 1109 days in filing the Special Leave Petition. On perusal of the said impugned order, we find that Civil Revision Petition filed by the Union of India through the Defence Secretary, New Delhi and the Director of DRDL, Hyderabad was dismissed and no direction whatsoever has been issued as against the petitioner-State.

7. Hence, we find no reason to interfere with the impugned order.

8. Consequently, the Special Leave Petition is dismissed both on the ground of delay and for the aforesaid reason.

9. Pending application(s), if any, shall stand disposed of.

PART C

10. The impugned order dated 18.11.2024 arising out of Writ Appeal No.1294/2024, which was also filed by the Union of India and Director of DRDL, Hyderabad, the High Court has disposed of the said writ appeal by setting aside cost of Rs.1,00,000/- which was imposed on the petitioner(s) therein. There is no adverse direction issued as against the petitioner(s) herein hence.

11. Hence, we find no reason to interfere with the said order.

12. Further, there is a delay of 215 days in filing the said Special Leave Petition.

13. Hence, the said Special Leave Petition is dismissed both on the ground of delay as well as on merits.

14. Pending application(s), if any, shall stand disposed of.

8. It is also necessary to note that the Writ Appeal No.304/2025 was preferred by the respondent-State of Telangana. The said Writ Appeal was allowed and disposed of by the impugned order dated 12.03.2025. We note that the aforesaid writ appeal was allowed and the Division Bench had remanded the matter at the instance of the State of Telangana. Nevertheless, special leave petition was filed by the State of Telangana which we had dismissed, as the Division Bench had remanded the matter at the instance of the State of Telangana in the appeal filed by it. But being aggrieved by the said order of remand, the appellant herein who had filed the SLP on 29.04.2025 and which was not heard along with the other SLPs filed by the State is before this Court. The appellant herein was the respondent in the aforesaid appeal.

9. Having heard learned senior counsel for the respective parties at length and bearing in mind the fact that earlier this Court had already passed an order dated 10.11.2025 which is extracted as above, it is necessary to consider the correctness or otherwise of the order dated 12.03.2025, which was passed subsequent to the order passed by the Division Bench of the High Court in Writ Appeal No.1294/2024 which writ appeal was filed by the respondent-Union of India, from the perspective of the appellant herein.

10. Learned senior counsel for the appellant(s) submitted that having regard to the fact that the order of the learned Single Judge dated 04.09.2024 was affirmed by the Division Bench of the High Court by its earlier order dated 18.11.2024 and which has also been affirmed by this Court in SLP (C) Diary No.54219/2025, it is now necessary to also set aside the order dated 12.03.2025 passed in Writ Appeal No.304/2025 which was filed by the respondent-State of Telangana and Another.

11. It was submitted that the State of Telangana had earlier assailed the order dated 12.03.2025 order before this Court and hence, it is not permissible for the State to now contend to the contrary.

12. It is also to be noted that the order passed by this Court was on 10.11.2025. However, the fact remains that the order dated 12.03.2025 passed by the Division Bench of the High Court is contrary to the order dated 18.11.2024 in Writ Appeal No.1294/2024 which has been affirmed by this Court. There cannot be two contradictory orders of the High Court assailing the very same order of the learned Single Judge dated 04.09.2024 passed in Writ Petition No.11883/2024. Further, the order dated 12.03.2025 which was assailed by the State of Telangana before this Court has been affirmed at the instance of the respondent-State. In the circumstances, the order passed in the appeal filed by the State of Telangana in Writ Appeal No.304/2025 has to be in terms of the earlier

order passed by the High Court in Writ Appeal No.1294/2024 which has also been affirmed by this Court. In the circumstances, it is necessary that the impugned order dated 12.03.2025 ought to be set aside at the instance of the appellant herein as the challenge to the said order was made by only the respondent-State then and the appellant's appeal was not heard then.

13. At this stage, we also take note of the fact that the respondent-Union of India in Writ Appeal No.1294/2024 had submitted before the Division Bench of the High Court as under:

"Learned Deputy Solicitor General of India for the appellants submits that the appellants are ready and willing to initiate the proceedings for acquisition of the land. It is further submitted that the learned Single Judge ought not to have awarded costs of Rs.1,00,000/- in favour of the appellants as the appellants are not in fault."

14. In that view of the matter, the High Court had set aside the costs of Rs.1,00,000/- (Rupees One Lakh Only) that had been imposed on the respondent-Union of India which order has also

been affirmed by us by order dated 10.11.2025 extracted above.

15. It is necessary to reiterate that as against the order dated 04.09.2024 passed by the learned Single Judge in Writ Petition No.11883/2024 there cannot be two contradictory orders in Writ Appeals filed against the said order by different parties, namely, the Union of India and the State Government. Hence, it is necessary to set aside the impugned order dated 12.03.2025 passed subsequently. Moreover, the respondent-State also had unsuccessfully assailed the very same order before this Court. Today, the State cannot assert that the order dated 12.03.2025 is correct. As the State was assailing an order of remand in an appeal filed by it before the Division Bench of the High Court and it had been successful in the said appeal, we did not find the need to set aside the said order of the Division Bench of the High Court dated 12.03.2025. But in the present appeal, the respondent before the High Court has assailed

the very same order being aggrieved by the setting aside of the order dated 04.09.2024 passed by the learned Single Judge of the High Court in WP No.11883/2024.

16. In the circumstances, the impugned order dated 12.03.2025 is set aside.

17. The appeals are allowed in the aforesaid terms.

18. However, we dispose of the matter(s) without any order as to costs.

Pending application(s), if any, shall stand disposed of.

.....J.
(B.V. NAGARATHNA)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
JANUARY 23, 2026.