

**BEFORE THE ADJUDICATING OFFICER,  
TELANGANA REAL ESTATE REGULATORY AUTHORITY,  
HYDERABAD.**

Dated, this the 20<sup>th</sup> day of DECEMBER, 2024.

Present:- Sri Syed Lateef-ur Rahman,  
Adjudicating Officer.

**C.C.P.No.11/2024/TG RERA**

**Between:**

Sri Mahesh Kumar Muntimadugu S/o late M.Subbarayudu,  
H.No.1-2-236/25/A, Road No.6, SRL Colony, Kothapeta,  
Hyderabad – 35.

...Complainant.

and

- 1) **M/s.Bhuvanteza Infra Projects Pvt.Ltd. Corporate office, H.No.201, 2<sup>nd</sup> Floor, Lumbini Amrutha Chambers, Nagarjuna Circle Road 3, Banjara Hills, Hyderabad, rep., by its Managing Director** Sri Chekka Venkata Subramanyam, R/o H.No.15-31, RTP-1, Flat-406, Rain Tree Park, Malaysia Township near Club House, Kukatpally, Hyderabad 500072.
- 2) Sri Chekka Venkata Subramanyam, Flat No.C-110, Jayabheri Orange County, Road No.2, Financial District, Nanakramguda, Telangana 500 032.
- 3) Smt.Chekka Bhagya Laxmi W/o Chekka Venkata Subramanyam, R/o H.No.15-31, RTP-1, Flat-406, Rain Tree Park, Malaysia Township near Club House, Kukatpally, Hyderabad 50007.
- 4) Sri K.Balaji (Kotturu Balaji) S/o late Ramaiah Chowdhary, R/o Plot No.73, Western Homes, Phase-II, Kavuri Hills Jubilee Hills, Hyderabad, Telangana.

...Respondent.

This complaint came up for hearing before me on 17.12.2024 in the presence of complainant himself in person and after hearing and having stood over for consideration till this day, the following order is passed:

**ORDER**

The present complaint has been filed under Section 31 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred as “the Act”) read with Rule 35 of the Telangana State Real Estate (Regulation and

Development) Rules, 2017 (hereinafter referred as “the Rules”) to grant compensation.

2. It is the case of the complainant that on 26.08.2021, he entered into an agreement of sale with Respondent M/s.Bhuvanteza Infra Projects Pvt.Ltd., for purchase of a flat in the Project named “AURA (Velimala)” situated at Velimala village & Gram Panchayat, Ramachandrapuram Mandal, Sanga Reddy district and the said flat was to be handed over by December, 2023 by the Respondent. Despite such commitment is made in the agreement, the construction of the Project was significantly delayed and as on 19.06.2024, only 20% of the Project was completed. The respondent repeatedly assured the complainant to hand over possession in time, but failed to do so. The Respondent agreed that in case if they failed to deliver the Project by December, 2023, he will pay rent from January, 2024 to the buyers till the flat is handed over to the complainant, but the complainant did not receive any rental amount from the respondent. The delay in possession caused the complainant severe hardship as he has to pay both rent for residence and EMI for the home loan obtained by him. The complainant apprehends that the respondent may cause diversion of funds on account of delay in completion of the project against the interests of the buyers of the flats. The uncertain delay caused severe psychological stress to complainant and his family members. As such, the complainant filed present complaint seeking compensation of Rs.34,75,000/- which includes interest @ 10% and compensation for mental agony and harassment etc.

3. On registration of the complaint, notices were issued to the respondents at the addresses furnished in the complaint number of times. But, the notices could not be served properly. At last, the case was adjourned for steps to enable the complainant to file petition to order publication of notices in news paper for substituted service.

4. Later, when the matter was adjourned, the complainant has filed a memo stating *inter alia* that due to inadvertence, he made four persons as respondents in the complaint and made Respondent Nos.3 and 4 without describing their role and description and how they are related to Respondent Nos.1 and 2 and also could not claim the amount of compensation in detail. It is also stated in the memo that he has also filed another complaint under Form-M before the Hon'ble RERA Authority seeking refund of amount and other reliefs and the same is reserved for orders. Therefore, the complainant requested this Authority to permit him to withdraw the present complaint with a liberty to file fresh complaint with comprehensive facts and appropriate reliefs.

5. Now the Point for consideration is:

*Whether the complainant can be permitted to withdraw the complaint with a liberty to file fresh complaint as prayed?*

6. **POINT:**

Perused the memo. In the facts and circumstances narrated in the memo filed by the complainant as referred above, this Authority is of the opinion that there is no legal impediment in allowing the memo permitting

the complainant to withdraw the complaint with a liberty to file a fresh complaint. Accordingly, it is held that the memo has merits and deserves to be allowed.

7. In the result, the complaint is disposed off as “withdrawn” allowing memo permitting the complainant to file a fresh complaint, as he is so advised. No costs.

Typed to my dictation, corrected and pronounced by me in open Court on this, the 20<sup>rd</sup> day of DECEMBER, 2024.

**ADJUDICATING OFFICER,  
TG RERA: HYDERABAD.**

**APPENDIX OF EVIDENCE  
NIL**

**ADJUDICATING OFFICER,  
TG RERA: HYDERABAD.**

Compared by: