

BEFORE TELANGANA REAL ESTATE REGULATORY AUTHORITY
[Under the Real Estate (Regulation and Development) Act, 2016]

COMPLAINT NO.355 OF 2023

11th September, 2024

Corum: **Dr. N. Satyanarayana, IAS (Retd.), Hon'ble Chairperson**
 Sri Laxmi Narayana Jannu, Hon'ble Member
 Sri K. Srinivasa Rao, Hon'ble Member

Sri K C Ravi

...Complainant

Versus

M/s Bhuvan Teza Project Pvt Ltd

...Respondent

The present matter filed by the Complainant herein came up for hearing on 10.10.2023, 07.11.2023 and 02.03.2024, 11.06.2024 and 11.07.2024 before this Authority, none appeared for complainant and the Respondent and, this Authority passes the following **ORDER:**

2. The present Complaint has been filed under Section 31 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the "RE(R&D) Act" read with Rule 34(1) of the Telangana Real Estate (Regulation and Development) Rules, 2017 (hereinafter referred to as the "Rules") seeking directions from this Authority to take action against the Respondent.

3. The matter was listed for hearing on 10.10.2023, where the Complainant failed to appear. However, the Respondent was represented by Mr. B. Suresh, Manager of the Respondent company, who requested time to file a reply. Accordingly, the matter was adjourned, and fresh notices were issued to the Complainant.

4. On 07.11.2023, none of the parties appeared before this Authority. The matter was subsequently adjourned to 02.03.2024, with fresh notices issued to both parties.

5. On 02.03.2024, the Complainant appeared in person and submitted that he had invested a sum of Rs. 30,50,000/- in the Respondent's project, "Happ Homes." However, despite a period of two years, there had been no significant development in the project. As a result, the Complainant decided to withdraw from the project. He

further submitted that the Respondent had yet to refund the amount he had invested.

6. As the Respondent neither appeared nor filed a reply, this Authority adjourned the matter to the next hearing date for the filing of the Respondent's reply. The Complainant was also directed to file documents substantiating the allegations made against the Respondent.

7. On the subsequent date of hearing, both parties failed to appear, and the matter was adjourned to 11.07.2024, with fresh notices issued to both parties.

On 11.07.2024, the Complainant again failed to appear before this Authority, despite the notice being duly served and postal acknowledgment received.

8. Upon careful consideration of the facts and the repeated absence of the Complainant, this Authority is of the view that sufficient opportunities have been provided to the Complainant to appear and prosecute the case. The Complainant's consistent failure to maintain communication and appear for hearings demonstrates a lack of interest in pursuing the complaint.

9. In light of these facts, this Authority deems it appropriate to dismiss the complaint for non-prosecution.

10. In the event any party is aggrieved by this Order, they may file an appeal before the Telangana Real Estate Appellate Tribunal, as per Section 44 of the Real Estate (Regulation and Development) Act, 2016, within 60 days from the date of receipt of this Order.

Sd/-
Sri. K. Srinivas Rao,
Hon'ble Member
TG RERA

Sd/-
Sri. Laxmi NaryanaJannu,
Hon'ble Member
TG RERA

Sd/-
Dr. N. Satyanarayana, IAS
(Retd.), Hon'ble Chairperson
TG RERA