

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

Complaint No. 495 of 2025

Dated: 30th March 2026

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

Sirimalla Nagesh Babu

(Flat No. 204, Sai Dharshan Apartments, PVN Colony, near Venkateshwara Apartments, Mirjalguda, Malkajgiri Dist, Telangana -500 047)

...Complainant

Versus

1. M/s. Krithika Infra Developers

*Rep. by its Managing Partner, D. Gopal
(3rd and 4th Floor, X Roads, Beside Bahar Café,
Opp. HP Petrol Pump, LB Nagar, Hyderabad, Telangana – 500074)*

2. D. Gopal

*(H. No. 7-67, GVR Colony, Thattiannaram Village, Abdullapurmet Mandal,
Ranga Reddy District, Telangana- 500068)*

3. Radha Bhukya

*(3rd and 4th Floor, X Roads, Beside Bahar Café,
Opp. HP Petrol Pump, LB Nagar, Hyderabad, Telangana – 500074.)*

4. D. Srikanth

*(3rd and 4th Floor, X Roads, Beside Bahar Café,
Opp. HP Petrol Pump, LB Nagar, Hyderabad, Telangana – 500074)*

5. D. Shashikanth

*(3rd and 4th Floor, X Roads, Beside Bahar Café,
Opp. HP Petrol Pump, LB Nagar, Hyderabad, Telangana – 500074.)*

...Respondents

The present matter filed by the Complainant herein came up for hearing before this Authority in the presence of the Complainant in person, and none appeared on behalf of the Respondents despite service of notice; hence, set ex parte and upon hearing the submissions of the Complainant, this Authority proceeds to pass the following **ORDER**:

2. The present Complaint has been filed by the Complainant under Section 31 of the Real Estate (Regulation & Development) Act, 2016 (hereinafter referred to as the “Act”) read with

Rule 34(1) of the Telangana Real Estate (Regulation and Development) Rules, 2017 (hereinafter referred to as the “Rules”) seeking appropriate relief(s) against the Respondents.

A. Brief facts of the case:

3. The Complainant in the Complaint contended that she has purchased a flat bearing no. 107, Block-A, 1st Floor, admeasuring 1202 sq. ft., situated at Boduppall Village and Municipality, Medchal–Malkajgiri District, from the Respondents, under an agreement of sale entered into between them.

4. The Complainant further contended that despite having been paid the agreed sale consideration of Rs.38,46,400/-, the Respondent, though promised to deliver possession of the flat within 2 years from the date of entering into the agreement on 25.08.2024, has failed to complete the project and deliver possession of the subject flat within the said promised period of two years. She has also asserted that till date, no construction activity has been commenced by the Respondents in the project and that the project has not been got registered under the provisions of the Real Estate (Regulation and Development) Act, 2016, and thus thereby violated the provisions of the RE(R&D) Act,2016.

B. Relief(s) Sought:

5. Accordingly, the Complainant sought the following reliefs:
- i. Direct the Respondent to refund of the amount along with interest as per the norms
 - ii. Direct Developer to register the land to the aggrieved, to get the RERA Registration, and to commence the Development works at the earliest.
 - iii. Direct the SRO Ramanthapur to hold the Property transactions in 215 survey number.
 - iv. I request RERA authorities to transfer the file to the Enforcement Department authority to file a case against the developer to find out the amount of transactions and help us get back our paid amount.
 - v. I request RERA authorities to file a case in CBI (Central Bureau of Investigation) for further investigation on these developers.
 - vi. I request RERA authority to please block this Developer in RERA, and also don't give any future permission to these directors' names.
 - vii. I request RERA Authority to take serious action on these Directors and also give a direction to the CIVIL court to investigate further till he get justice.

viii. I request RERA Authority to please give instructions to the Police Department to find out the Directors, since they are absconding.

C. Points to be determined:

6. Based on the facts and circumstances placed before this Authority, the following questions arise for adjudication:

I. Whether the Respondents violated any provisions of the RE(R&D) Act, 2016?

II. Whether the Complainant is entitled to the relief sought?

D. Observations of the Authority:

7. As can be gathered from the pleas and assertions made by the Complainant narrated herein above in para no.4, which remained undisputed in view of the fact that the Respondents have remained ex parte and have also failed to file any counter/reply.

Point – I

8. From such undisputed and unrebutted pleas and assertions of the Complaint, and upon perusal of the available documents submitted by Complainant, it is evident that the Respondent marketed and sold residential units in the project titled “Sheshadri’s Silver Oak” located at Survey No. 215, admeasuring 11418 sq. meters situated in Boduppall Village, without obtaining registration of the project under Section 3 of the RE(R&D) Act, 2016, since the land in question exceeds the threshold of 500 sq. meters as specified under Section 3(2)(a) of the RE(R&D) Act, 2016 and involves more than eight units, which mandates registration U/s 4 of the Act with the Authority.

9. In this context it is pertinent to mention that this Authority has already dealt with similar violations by the same Respondents in Complaint No. 115 of 2024, which related to this very project, wherein it was found that the Respondents had marketed and sold units without registering the project with this authority, in contravention of Sections 3 and 4 of the RE(R&D) Act, 2016 and vide the said orders for contravention of sections 3,4 and 13(1) of the act was levied on the Respondent under sections 59,60 and 61 RE(R&D) Act, 2016, and accordingly a penalty of **Rs. 9,96,050/-** was imposed on the Respondent for violation of section 3,4 and 13(1) of the RE(R&D) Act, 2016 Therefore, these issues raised against the Respondent-promoter in the present case stands on an identical footing, and has already been addressed through the said earlier order.

10. Further, this Authority, in Complaint No. 1684 of 2023, by order dated 14.11.2025, has already penalised the Respondent No.1 for misrepresentation and unfair practices. The relevant portion of the said order reads as follows:

*“13...In view of the foregoing discussions and in exercise of the powers conferred under Sections 37 and 38 of the Real Estate (Regulation and Development) Act, 2016, this Authority finds that the Respondent is liable for penalty under Section 61 of the RE(R&D) Act for misrepresentation and unfair practices, and accordingly, a penalty of **Rs. 26,44,751/-** (Twenty Six Lakh Forty-Four Thousand Seven Hundred Fifty-One Rupees only) is imposed on the Respondent. Further, the Respondent shall pay the aforesaid penalty within 30 days from the date of this order, in favor of the TGRERA FUND, through a Demand Draft or online payment to Account No. 50100595798191, HDFC Bank, IFSC Code: HDFC0007036.”*

11. Further, this Authority, in its Order in Complaint No. 86 of 2025 dated 16.10.2025, has declared the Respondent No. 1/Promoter, M/s Krithika Infra Developers, as a “**defaulter**” for continuous and willful violations of the provisions of the Real Estate (Regulation and Development) Act, 2016. Accordingly, all developmental activities undertaken by the said Respondent No. 1 are to be terminated with immediate effect, and the Respondent No. 1/Promoter is restrained from carrying out any further advertisement, marketing, booking, sale, or offer for sale of any apartment or part thereof in the said project or any other projects in the future, in any manner whatsoever. The relevant portion of the above-mentioned order reads as follows:

Para 23. Further, the Respondent has consistently exhibited wilful contempt for the authority. Despite due service of notices, publication of public notice, and repeated opportunities, the Respondent has failed to appear, file replies, or offer any explanation. Such recalcitrant conduct demonstrates wilful disobedience, procedural evasion, and a premeditated intention to obstruct justice and subvert regulatory oversight. The Respondent’s conduct strikes at the very root of the regulatory mechanism envisaged under the RE(R&D) Act, thereby undermining the faith of allottees and the integrity of the real estate sector.

Para 24. In light of the above, and considering the grave, continued, and wilful violations of statutory obligations, coupled with the malafide intent to deceive and defraud the public at large, this Authority is constrained to hold that the Respondent has engaged in

malpractice, unfair trade practice, and deliberate misrepresentation within the meaning and spirit of the Real Estate (Regulation and Development) Act, 2016.

Para 25. Accordingly, in exercise of the powers conferred under Sections 37 and 38 of the RE(R&D) Act, 2016, and in the larger public interest, this Authority hereby declares Respondent No.1, M/s. Krithika Infra Developers, to be a “defaulter” and a habitual violator of the provisions of the RE(R&D) Act. Consequently, the Respondent, including its directors, partners, and associated entities, is prohibited from undertaking, advertising, marketing, booking, selling, or registering any new real estate project within the jurisdiction of this Authority.

12. Therefore, this Authority has already examined and adjudicated upon the violations of Sections 3 and 4 of the Real Estate (Regulation and Development) Act, 2016 in the aforementioned proceedings. In view of the same, no further adjudication under the said provisions is warranted at this stage, as it would amount to re-agitation of issues already decided, being hit by the principle of res judicata.

13. As per the discussion made in the foregoing paragraphs and the findings given therein, Point I is answered accordingly.

POINT II

14. Upon perusal of the pleas, assertions and documents placed on record, by the Complainant, which remained unrebutted, in the absence of any contra evidence or material record before this authority on behalf of the Respondent, makes it is clear that the Respondent No.1 has collected a total amount of Rs. 38,45,000/- from the Complainant towards the sale consideration. Further, it is clear that, despite receiving of the total sale consideration, the Respondent No.1 has neither commenced any construction activity in the said project nor demonstrated any bona fide intention to execute the project in accordance with law.

15. Section 18(1)(b) of the RE(R&D) Act, 2016 provides that where the promoter discontinues his business as a developer on account of suspension or revocation of registration or for any other reason, he shall be liable, on demand, to return the amount received from the allottee with interest, if the allottee wishes to withdraw from the project.

16. In the present case, though the date stipulated under the Agreement for completion has not yet expired, the declaration of the Respondent as a defaulter and the regulatory prohibition imposed restrained it from undertaking any development activity of the project disabled the

Respondents to discontinue the business as a developer within the meaning of Section 18(1)(b) of the RE(R&D) Act. It is also pertinent to note that in previous matters adjudicated by this Authority concerning the same project and promoter, the Respondent had failed to complete construction even after the expiry of the agreed timelines. The repetitive nature of such conduct reinforces the conclusion that the Respondent lacks the capacity and bona fide intention to execute the project. In the circumstances, the conclusion that can be drawn is that the Complainant's right to refund as prayed for U/s 18(1)(b) of the RE(R&D) Act can be allowed.

17. In view of the findings recorded hereinabove and in exercise of powers under Section 18(1)(b) of the RE(R&D) Act, 2016, this Authority holds that the Complainant is entitled to withdraw from the project and seek a refund of the amount paid.

18. Accordingly, the Complainant is entitled to refund of the amount paid to the Respondents together with interest at the rate prescribed under Rule 15 of the Telangana Real Estate (Regulation and Development) Rules, 2017, i.e., the State Bank of India's Marginal Cost of Lending Rate (MCLR) plus 2% per annum (i.e., 8.70% + 2%), calculated from the respective date of Agreement of sale until the date of actual refund.

19. With respect to other reliefs sought, the Complainant has the liberty to approach the appropriate forums.

20. Hence, Point II is answered in the affirmative, and the Complainant is entitled to a refund along with applicable interest.

E. Directions of the Authority:

21. In exercise of the powers conferred upon this Authority under Sections 37 and 38 of the Real Estate (Regulation and Development) Act, 2016, and in furtherance of the findings and conclusions drawn hereinabove, the following directions are hereby issued:

i. The Respondent No. 1 is hereby directed to refund Rs. 38,45,000/- (Thirty-Eight Lakh Forty-Five Thousand only) along with interest at the rate of 10.70% per annum (SBI MCLR of 8.70% + 2%) from the date of the Agreement of Sale dated 25.08.2024 till the date of actual refund in accordance with Rule 15 of the Telangana RE(R&D) Rules, 2017 within 45 (Forty-Five) days from the date of this Order.

22. Further, this Authority has already declared the Respondent No.1 as a **defaulter** for continuous and wilful violation of the provisions of the Real Estate (Regulation and

Development) Act, 2016. Consequently, all developmental activities undertaken by the Respondent–Promoter in respect of the said project stand terminated with immediate effect. The Respondent is hereby restrained from undertaking any further advertisement, marketing, booking, sale, or offering for sale of any apartment or part thereof in the said project, or in any other project in the future, in any manner whatsoever.

23. Failing to comply with the above-said direction by the Respondent shall attract a penalty in accordance with Section 63 of the RE(R&D) Act, 2016.

24. The complaint stands disposed of in the above terms. There shall be no order as to costs.

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

Sd/-
Sri Laxminarayana Jannu,
Hon'ble Member,
TG RERA

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

