

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

COMPLAINT NO.53 OF 2024

02nd Day of September 2024

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

Smt. Ramisetti Bhavani

...Complainant

Versus

M/s GRR Realities
Represented by its Managing Director
Sri Gurram Prakash

...Respondent

The present matter filed by the Complainant herein came up for hearing on 20.06.2024, 25.07.2024 and 21.08.2024 before this Authority in the presence of the Complainant in person and none for the Respondent inspite of service of notice and upon hearing the arguments, this Authority passes 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 against the Respondent Builder.

Brief facts on behalf of the Complainant:

3. The Complainant submitted that she purchased Flat bearing No.210 at Vasista Block from Sri Gurram Prakash, GRR Realities, Khammam, i.e., the Respondent herein in the year 2016 and a registered sale deed was accordingly

executed in favour of the Complainant. That the Complainant paid a total of Rs.12,50,000/- (Rupees Twelve Lakhs Fifty Thousand Only) which was paid by way of cash and remaining by bank loan. The Complainant filed a copy of the registered sale deed dated 27.06.2016 bearing document No.6578/2016 which shows that the project has DTCP approval vide B.P. No.41/2012/W dated 23.02.2012.

4. It was submitted that the Respondent has not completed the Flat and not handed over to the Complainant even after eight (8) years. Therefore, the Complainant prayed to direct the Respondent to complete the remaining works and handover the Flat bearing No.210 at Vasista Block to the Complainant at the earliest.

B. Observations and directions of the Authority

5. Notices were issued to both parties for a hearing before this Authority on 20.06.2024, 25.07.2024 and 21.08.2024. Despite being in receipt of the Notice, the Respondent failed to appear on all the said hearing dates. Therefore, the Respondent was set *ex-parte* on 21.08.2024.

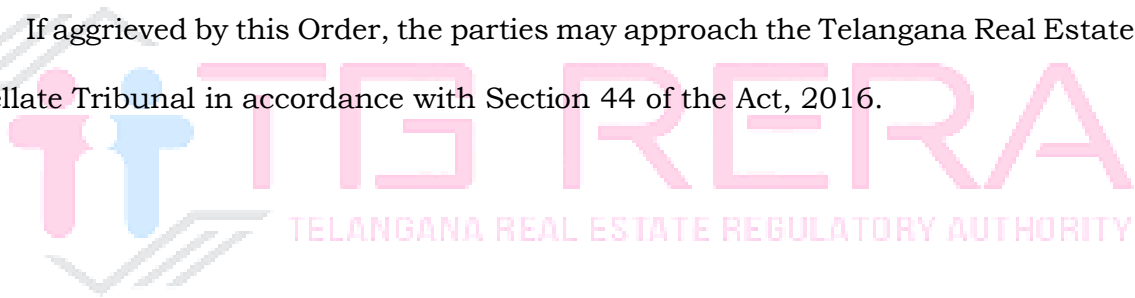
6. The Complainant appeared on 21.08.2024 and reiterated the contents of the Complaint. This Authority has already issued final orders in Complaint No.1592/2023 and 1673/2023 which are individual complaints in respect of the same project and the same Respondent herein.

7. Therefore, in line with the orders issued in the above-mentioned complaints, as the Respondent has failed in its obligation to handover the Flat within the time stipulated in the sale deed dated 27.06.2016 bearing document No.6578/2016 in utter disregard and violation of Section 17(1) and therefore, the Complainant is entitled for complete refund of amount paid along with interest as per Rules.

Therefore, the Respondent is hereby directed to cancel the registration of the flat No.310 at 'Vasistha Block' made in favour of the Complainant and refund an amount of Rs.12,50,000/- (Rupees Twelve Lakhs Fifty Thousand Only) along with such other additional amounts paid by the Complainant for registration of the Sale Deed dated 27.06.2016 bearing document No.6578/2016 with interest at the rate of 10.85 % (8.85 + 2) as per Rules, 2017 from the date of the sale deed i.e., from 27.06.2016 till the date of payment made to the Complainant, within 30 days from the date of the receipt of this Order, failing which appropriate action under Section 63 will be initiated against the Respondent.

9. The complaint is accordingly disposed of. No order as to costs.

10. If aggrieved by this Order, the parties may approach the Telangana Real Estate Appellate Tribunal in accordance with Section 44 of the Act, 2016.



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

Sd/-
Sri Laxmi Narayana Jannu,
Hon'ble Member,
TS RERA

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