

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

COMPLAINT NO.1786 OF 2023

4th day of May, 2024

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

M/s Coconut Grove Flat Owners Maintenance Mutually
Aided Co-operative Society Limited

...Complainant(s)

Versus

M/s RDB Hyderabad Infrastructures PVT.Ltd
Sri Raja Sekhar Reddy

...Respondent(s)

The present matter filed by the Complainant herein came up for hearing on 02.05.2024 before this Authority in the presence of Counsel Kirthi Teja Kondaveeti for the complainant and Respondent and upon hearing the arguments of the parties, this Authority passes the following **INTERIM**

ORDER:

2. The present Complaint has been filed under 31 of the Real Estate (Regulation and 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") requesting interim directions to:

1. *to rectify the seepage issues/leakages*
2. *to undertake water proofing on top floor*
3. *to make sure that there is no water logging in the lift pits,*
4. *to replace the poor electrical infrastructures with good quality*

5. *to replace the secondhand / used/outdated diesel generators installed in towers Daffodil and Rose with new diesel generators of the best company,*
6. *to take steps immediately to construct compound wall for the building*
7. *to take steps for change of the common power billing name to the society name*
8. *to take steps to install automatic cut off valve for overhead tanks.*

3. The counsel for the complainant submits that a dispute exists with the revenue authorities regarding the earmarked location for the clubhouse as per the sanctioned plan, resulting in an overlap whereby a portion of their area falls within the premises of the society. Consequently, the respondent has refrained from completing 10% of the construction of the compound wall due to the ongoing dispute with the revenue department. This omission has created an open space, posing safety hazards to the residents of the concerned project, including the ingress of hazardous snakes into the building premises.

4. Moreover, water logging in the lift pits has rendered the lifts unsafe for use, further exacerbating the safety concerns of the residents. Therefore, the complainant requests this Authority to issue an interim order directing the respondent builder to promptly rectify and complete the pending work in areas posing threats to the safety of the residents.

5. *Per contra*, the authorized representative of the Respondent has requested a three-week extension citing the unavailability of the Respondent's Counsel.

6. This Authority has duly considered the submissions of both the complainant and the Respondent. Upon review, it is evident that the complainant's argument holds merit, and the balance of convenience favors the complainants. Their safety is at risk, and granting the interim relief as prayed for would not cause any harm to the Respondent.

7. In consideration of the safety concerns raised by the complainant association and in the interest of upholding their rights, this Authority, exercising its powers under Section 37 of the RE(R&D) Act, hereby issues the following directives to Respondent 1:

- a. The Authority recommends the construction of a 2-foot-high basement along the site boundary to protect residents from snakes and other hazardous animals. Additionally, the installation of a gate for the protection of ingress and egress shall be done by Respondent 1
- b. With the impending monsoon season, the complainants' concerns regarding seepage and leakages are noted. Therefore, waterproofing measures should be undertaken on the terrace.
- c. Steps have to be taken to ensure no water enters the the lift pits.
- d. Respondent 1 is directed to strictly adhere to these directives and to complete the aforementioned works within 15 days from the date of receiving this order.

In the event of non-compliance with the aforementioned directives, appropriate action under section 63 will be initiated against Respondent 1. This matter is scheduled for review on 11.06.2024.

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

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

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