

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

COMPLAINT NO.510 OF 2023

07th Day of February, 2024

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

Sri G. Daya Shankar

...Complainant

Versus

M/s Vipinam Avenues LLP
Represented through its Managing Partner

...Respondent

The present matter filed by the Complainant herein came up for hearing on 17.10.2023, 20.12.2023, 28.12.2023 and 30.01.2024 before this Authority and none appeared for Complainant and the Respondent and, 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 read with Rule (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 appropriate action against the Respondent Builder.

3. Notices were issued to the parties as per address provided by the Complainant which were returned for hearing on 17.10.2023. Subsequently, Notices were issued to the parties on 06.12.2023 for hearing on 20.12.2023, which were duly delivered, and both parties appeared. On the said day, on account of

several allegations made by the Complainant in his Complaint, this Authority, while exercising its powers under Section 35(1), directed an inspection to be conducted on the alleged Project site situated at Sy. No.104/Part, Nanakramguda Revenue Village, Serilingampally Mandal, Ranga Reddy District, Telangana State. This Authority also directed the Complainant & Respondent to assist the inspection team to obtain further information regarding the Project. Accordingly, the matter was adjourned to 28.12.2023 and both parties were duly informed of the same.

4. Despite such directions, the parties failed to assist the inspection team and also failed to appear on the next date of hearing i.e., 28.12.2023. The inspection team issued a report submitting as follows:

“In compliance with the directions of the Hon'ble Chairman, we have proceeded to site inspection of the project in the above complaint situated at Nanakramguda, Ranga Reddy district on 20.12.2023. Before leaving the office we have requested the complainant to accompany with us, but he simply explained the location details and avoided to follow us with certain reasons. However, the complainant informed that the site exists nearby the Shriram Universal school, Nanakramguda, Gachibowli. As per said information we have proceeded to the site and enquired about said Project, but no such project with the name of 'VIPINAM' found in the locality and nobody identified said project. In this regard we have made several phone calls to the complainant for identification of the site, but he did not receive the calls. As such the Project could not be identified. And no display boards found in and around.”

5. As parties failed to appear on 28.12.2023, matter was adjourned to 30.01.2024 and notices were issued to the concerned parties accordingly, however, yet again, both parties failed to appear.

4. This Authority observes that enough opportunities have been afforded to the Complainant to appear and submit before this Authority. Given the Complainant's consistent absence and lack of cooperation with the inspection team, it is apparent that the Complainant does not seek to pursue the matter. In lieu thereof, the present Complaint stands dismissed for non-prosecution.

5. If aggrieved by this Order, the parties may approach the TS Real Estate Appellate Tribunal (vide G.O.Ms.No.8, Dt.11-01-2018, the Telangana State Value Added Tax Appellate Tribunal has been designated as TS Real Estate Appellate Tribunal to manage the affairs under the Act till the regular Tribunal is established) within 60 days from the date of receipt of this Order.

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