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

Complaint No. 705 of 2025
Dated: 10th November 2026

Quorum: Sri K. Srinivasa Rao, Hon'ble Member

Between
M. Brahmaiah

(102, Pragathi residency, road no 11
Opposite unicent kinds school,
Pragathi enclave, Miyapur- 500049)

……Complainant(s)

Versus

M/s. DNR Constructions represented by
D. Sanjeeva Reddy
(Flat #G1301, Aparna lake Breeze,
Aparna Hills County, Chanda
Nagar, Hyderabad)
Venkat narsa reddy Ambati
(H.No 6-6/14P&15, Siri Nilayam,
Plot No-15, Road no-1,
ASR Raju Nagar, Near
JPN Nagar, Miyapur, Hyderabad
500049)

……Respondent

TG RERA
TELANGANA REAL ESTATE REGULATORY AUTHORITY

The present matter filed by the Complainants mentioned herein above came up for hearing before this Authority on 16.09.2026 in the presence of the Complainant, and the Respondent absent despite service of notice hence Respondent is set ex-parte. Upon hearing the submissions of all the parties, this Authority proceeds to pass the following **ORDER:**

2. The present Complaint has been filed by the Complainants 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 Respondent.

A. *Brief facts of the Case as per Form M filed by Complainant*

3. The complainant is an allottee and the respondent is the developer and promoter. The complainant purchased a residential flat from the respondent in the year 2022. The flat purchased is Flat No. 102, a 2 BHK east-facing flat admeasuring 995 sq. ft., along with one car parking space, in the residential apartment known as "Pragathi Residency".

4. The said project is constructed on land admeasuring 600 sq. yards, forming part of Sy. No. 9 of Ramannaguda Village and Sy. No. 6 of Miyapur Village, Serilingampally Mandal, Ranga Reddy District. The project bears RERA Registration No. P02400001752.

5. The total sale consideration for the said flat was ₹52,50,000/-, which was fully paid by the complainant. The complainant availed a housing loan from LIC Housing Finance Limited, which was sanctioned in December 2022. The sale deed was executed and registered in December 2022, and the complainant has taken possession of the flat and is presently residing in the said premises.

6. Despite the complainant being in possession of the flat, the respondent has failed to provide the Occupancy Certificate (OC). The complainant has made several requests to the respondent for issuance of the Occupancy Certificate; however, the respondent has been neglecting the same and has failed to furnish the OC till date.

7. Hence, the complainant has been constrained to file the present complaint before this Hon'ble Authority seeking appropriate relief.

B. Prayer(s) Sought

i. *Direct the respondent/promoter to issue and provide the Occupancy Certificate in respect of Flat No. 102 in the project "Pragathi Residency" within a stipulated time frame.*

ii. *Grant such other and further reliefs as this Hon'ble Authority may deem fit and proper in the interest of justice*

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C. Points for Consideration

8. After considering the facts stated and submissions made by both parties, the following question arises before this Authority:

i. Whether the Complainant is entitled to relief(s) sought? If so, to what extent?

D. Observations of Authority

9. Before further adjudicating on the matter, this Authority takes due note of the repeated non-compliance by the Respondent, who have failed to appear before this Authority despite service of notice through registered post and substituted service and affording sufficient opportunities. Such persistent non-appearance and failure to respond, despite repeated opportunities afforded, demonstrate a deliberate disregard for the proceedings of this Authority. Therefore, in view of their continued absence, Respondent is hereby set ex parte. Therefore, the matter is being adjudicated based on the pleadings, documents, and submissions placed on record by the Complainants.

10. The Respondent has been set ex parte. The Authority therefore proceeds to decide the matter on the basis of the pleadings and documents filed by the Complainant.

11. The following facts are not in dispute and are borne out by the record:

i. The project "Pragathi Residency" is registered with TG RERA under Registration No. P02400001752.

ii. The Complainant purchased Flat No. 102 from the Respondent for Rs. 52,50,000/-, which has been paid in full.

iii. A registered Sale Deed was executed in December 2022, and the Complainant is in possession of the flat.

iv. The Respondent has not provided the Occupancy Certificate to the Complainant till date.

12. Section 11(4)(b) of the RE(R&D) Act, 2016 makes it the duty of the promoter to obtain the completion certificate or occupancy certificate, or both, from the competent authority, and to provide a copy of it to the allottees or the association of allottees.

13. Section 17(1) of the Act requires the promoter to execute the registered conveyance deed and hand over possession of the apartment to the allottee, and the Proviso to Section 17(1) provides that this shall be done within three months from the date of issue of the occupancy certificate. The Act thus contemplates that possession and conveyance follow the grant of the Occupancy Certificate. They cannot precede it.

14. In the present case, the Respondent executed the Sale Deed and handed over possession in December 2022. No Occupancy Certificate has been placed on record, and the Respondent has not appeared to show that one was applied for or obtained.

15. The Authority holds that the execution of the Sale Deed and the handing over of possession do not discharge the Respondent from its statutory obligation under Section 11(4)(b) of the Act. This obligation continues until the Occupancy Certificate is obtained and a copy is given to the allottees.

16. In view of the above, the Authority is satisfied that the Complainant is entitled to the relief sought.

E. Directions of the Authority

17. In the light of the discussions and findings above, this Authority, in exercise of its powers under Sections 37 and 38 of the RE(R&D) Act, 2016, issues the following directions to the Respondent:

i) The Respondent shall apply to the competent authority for the Occupancy Certificate in respect of the project "Pragathi Residency" within 60 days from the date of this Order, if not already applied, and shall pursue the application diligently.

ii) The Respondent shall obtain the Occupancy Certificate and provide a copy of it to the Complainant and to the association of allottees within 90 days from the date of this Order.

18. In case of non-compliance with these directions, the Respondent shall be liable to be proceeded against under Section 63 of the RE(R&D) Act, 2016.

19. Accordingly, the Complaint is disposed of. No order as to costs.

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

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