

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

COMPLAINT NO.48 OF 2024

11th September, 2024

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

Sri P. Shyam Prasad

...Complainant

Versus

M/s Edifice Constructions

...Respondent

The present matter filed by the Complainant herein came up for hearing on 12.06.2024, 11.07.2024 and 13.08.2024 before this Authority, none appeared for complainant and the Respondent and, this Authority passes the following **ORDER:**

2. The present Complaint has been filed under Section 31 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the "RE(R&D) Act" read with Rule 34(1) of the Telangana Real Estate (Regulation and Development) Rules, 2017 (hereinafter referred to as the "Rules") seeking directions from this Authority to take action against the Respondent.

3. The present complaint has been filed by the Complainant against the Respondent, alleging various deficiencies in the "Edifice Pride Building" project, wherein the Complainant has purchased a flat from the landlord's share of the project. key grievances raised by the complainant are that the electricity meter for the flat has not been installed, building has not been adequately painted, there are severe leakages within the premises, the lift installed in the building has insufficient capacity, causing inconvenience to residents, failed to hand over the original documents of the flat to the Complainant, despite several requests.

4. The matter was listed for hearing on 12.06.2024, at which time neither the Complainant nor the Respondent appeared before this Authority. In the absence of any representation from both parties, this Authority issued fresh notices to them for the subsequent date of hearing. Accordingly, the matter was adjourned to 11.07.2024.

5. On 11.07.2024, counsel for the Respondent appeared, filed a Vakalatnama, and sought time to file a reply. However, the notices issued to the Complainant were returned with the remark that no such person resides at the given address. Additionally, the contact details provided by the Complainant were found to be unresponsive, making it impossible to establish contact with the Complainant.

6. The matter was again adjourned to 13.08.2024. On this date, neither the Complainant nor the Respondent appeared before this Authority. Despite multiple opportunities, both parties failed to present themselves or file any substantive pleadings.

7. Upon careful consideration, this Authority is of the view that sufficient opportunities have been provided to the Complainant to appear and prosecute the case. The Complainant's failure to maintain communication, along with repeated non-appearance, indicates a clear lack of interest in pursuing the complaint. In light of these facts, this Authority deems it appropriate to dismiss the complaint for non-prosecution.

8. Accordingly, the present complaint is dismissed for non-prosecution.

9. In the event any party is aggrieved by this Order, they may file an appeal before the Telangana Real Estate Appellate Tribunal, as per Section 44 of the RE(R&D) Act, within 60 days from the date of receipt of this Order.

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

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

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