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

Execution Petition No.13 of 2026
(Arising out of Complaint No. 223 of 2025)

Date: 10th November 2026

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

Sri RM Srinivas
(Flatno.204, silver sand cyberdyne, Khanamet,
Kondapur, Hyderabad- 500084) **...Execution Applicant**

Versus
R.Srinivas Reddy
(Flat no.102, silver sand cyberdyne, Khanamet,
Kondapur, Hyderabad- 500084)

...Judgment Debtors/Respondents

ORDER

The present Execution Petition has been filed by Sri R.M. Srinivas, seeking execution of the order dated 14.10.2025 passed by this Authority in Complaint No.223 of 2025, which formed part of the common order passed in Complaint Nos.75, 222 and 223 of 2025, as upheld by the Hon'ble Telangana Real Estate Appellate Tribunal vide common order dated 06.04.2026 in T.A. Nos.52, 53 and 54 of 2025. The Execution Applicant has sought enforcement of the directions relating to the allocation of car parking spaces and has further prayed for attachment and sale of the immovable property bearing Flat No.101, Silver Sand Cyberdyne–2, Izzathnagar, Ramakrishnapur, Hyderabad, stated to belong to the Judgment Debtor.

2. The Execution Applicant seeks execution of the order dated 14.10.2025 passed by this Authority in Complaint No.223 of 2025, as upheld by the Hon'ble Telangana Real Estate Appellate Tribunal vide common order dated 06.04.2026 in T.A. Nos.52, 53 and 54 of 2025. The Applicant alleges non-compliance with the directions concerning allocation of parking spaces and has sought attachment and sale of the immovable property bearing Flat No.101, Silver Sand Cyberdyne–2, Hyderabad, stated to belong to the Respondent-Promoter.

3. The Execution Applicant submits that the Respondent-Promoter has failed to communicate the final parking allocation plan and implement the directions concerning equitable allocation of parking spaces. It is further submitted that no Residents Welfare Association has been constituted and the project has not been formally handed over to any association of allottees. The Applicant also relies upon the legal notice dated 10.06.2026 and

the postal tracking report and seeks execution by attachment and sale of the aforesaid immovable property.

4. This Authority has carefully considered the submissions and material available on record. The issue requires examination with reference to the applicable building regulations governing parking requirements, particularly G.O. Ms. No.168, Municipal Administration and Urban Development Department, dated 07.04.2012. Rule 13(c)(iv) of the Andhra Pradesh Building Rules, 2012, issued vide the aforesaid Government Order, specifically provides that in respect of residential apartment complexes/buildings situated on sites up to 750 square metres, the parking requirement shall be deemed to have been met if the entire stilt floor is left for parking. The language of the aforesaid provision is explicit. It creates a statutory deeming provision whereby the parking requirement stands satisfied upon fulfilment of the conditions prescribed therein. The provision must be given its full statutory effect and the parking requirement cannot be determined by adopting an independent numerical computation contrary to the specific deeming provision.

5. This Authority observes that the statutory provision under G.O. Ms. No.168 recognises the entire stilt floor being left for parking as sufficient compliance with the prescribed parking requirement in the specified category of residential buildings. This Authority also observes that the statutory requirement relating to provision of parking and the subsequent allocation of individual parking spaces are distinct aspects. The deemed satisfaction contemplated under Rule 13(c)(iv) governs the parking requirement and must be given due consideration while examining the alleged non-compliance. The provision cannot, however, be construed as independently determining contractual entitlements arising out of individual Agreements of Sale or Sale Deeds.

6. This Authority also observes that the Applicant has sought attachment and sale of Flat No.101, Silver Sand Cyberdyne–2, on the ground of alleged non-compliance with directions concerning parking allocation. The mere identification of an immovable property and production of an Encumbrance Certificate do not, by themselves, establish a legally sustainable ground for attachment and sale of such property. Execution proceedings are confined to enforcement of the order in accordance with law and cannot be extended to create an independent monetary obligation or grant a relief beyond the nature of the directions contained in the original order. The provisions of Section 40 of the RE(R&D) Act, 2016, cannot be invoked mechanically without establishing the legal basis and nature of the liability sought to be recovered.

7. In view of the above, this Authority observes that the parking requirement is governed by the applicable statutory provision under Rule 13(c)(iv) of G.O. Ms. No.168, dated 07.04.2012, wherever the conditions prescribed therein are fulfilled. The deemed satisfaction contemplated under the said provision cannot be disregarded while examining the alleged non-compliance. Further, the prayer for attachment and sale of Flat No.101 is not sustainable merely on the basis of the allegations raised in the present Execution Petition.

8. This Authority is, therefore, of the considered view that no legally sustainable ground has been established for proceeding with attachment and sale of the immovable property identified by the Execution Applicant. Having regard to the applicable building regulations and the nature of the relief sought, this Authority finds no justification for continuing the present execution proceedings.

9. In view of the foregoing, the present Execution Petition is hereby **dismissed**. No penalty is imposed. No order as to costs.

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

TG RERA
TELANGANA REAL ESTATE REGULATORY AUTHORITY