

7th of November, 2023. On the latter date, the Complainant appeared in person, while no representation was made on behalf of the Respondent, despite a notice issued on the 29th of September, 2023.

4. The Complainant submitted the Authority that they had engaged M/s Sarah Constructions for the development of a semi-furnished apartment in a project situated in Survey No.113 Part. The land, measuring 470 square yards or equivalent to 392.92 square meters, is located at Kondapur Village under GHMC Serilingampally Circle, Ranga Reddy district. The builder executed a valid sale deed in favor of the Complainant, amounting to Rs. 2,88,75,000/-, under sale deed no. 809/2020, dated 20.01.2020. The builder committed to completing the construction of the said apartment on or before the 30th of April, 2020. The Complainant has, to date, paid a total sum of Rs. 5,47,11,000/-, pursuant to two unregistered undertakings, where an advance amount of Rs. 2,97,11,000/- was paid out of the total sale consideration of Rs. 6,50,00,000/-. And remaining 3 lakhs through Housing loan by LIC. The Respondent has failed to complete the apartment construction within the stipulated timeframe, as per the Memorandum of Understanding (MOU) dated 08.01.2020. The Complainant asserts that the Respondent's failure to complete the work is driven by malicious intent to harass them.

5. However, the Authority, after due consideration, opines that, in accordance with Section 3(2)(a) of the Act, no registration of the Real Estate project shall be required where the area of the land proposed to be developed does not exceed five hundred square meters. In the present matter, the land in question measures only 392.92 square meters. Therefore, this Authority lacks jurisdiction to adjudicate the present matter, and it is dismissed on this ground alone.

6. In light of the aforementioned perspective, the Authority concludes that the present complaint lacks merit and is, therefore, not maintainable. Consequently, the complaint is hereby dismissed.

7. 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