

**BEFORE TELANGANA REAL ESTATE REGULATORY AUTHORITY**

*[Under the Real Estate (Regulation and Development) Act, 2016]*

**COMPLAINT NO. 229 OF 2024**

**13<sup>th</sup> December 2024**

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

**Smt. Hoorunnisa Begum**

W/o. Late Sri. Mir Hyder Ali Khan,  
Aged 62 years, Occupation: Household,  
R/o H.No.6-3-1089/C/1, "Baitul Aman",  
Gulmohar Avenue, Raj Bhavan Road, Somajiguda,  
Hyderabad – 500 082.

**...Complainant**

**Versus**

**M/s. Safah Constructions,**

Rep. by Mohd Farhan Shaffi,  
S/o Mohd Shaffi Osman,  
Aged 40 years, Occupation: Managing Partner,  
R/o 8-2-695/W/9, Road No.9, Banjara Hills, Hyderabad.

**...Respondent**

The present matter filed by the Complainant herein came up for final hearing on 07.08.2024 before this Authority in the presence of Complainant's counsel Anitha Ahuja and Respondent's counsel, Kopal Sharraf. Upon hearing the arguments of the parties, 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.

**A. Brief Facts on behalf of the complainant:**

3. The Complainant respectfully submits that the Respondent is a construction company represented by Mr. Mohd Farhan Shaffi, the Managing Partner. The property in dispute is owned by the Complainant's spouse, *Late Mir Hyder Ali Khan*, and the Complainant's sister-in-law, *Mrs. Liaquatunissa Begum*. The property is located at Shaikpet village, Banjara Hills, rear side of Road No. 14, admeasuring 2242 square yards, out of which 1642 square yards belonged to the Complainant's spouse, and 600 square yards belonged to Mrs. Liaquatunissa Begum. The Respondent, through illegal means, took possession of this land for development purpose.

4. The Complainant submits that, while her spouse was in the hospital undergoing chemotherapy, signatures were obtained on various documents without his knowledge or consent. The Respondent took advantage of the Complainant's fragile emotional state and secured her spouse's signatures on important agreements related to the property development, which were merged with her sister-in-law's property under a joint agreement without proper understanding.

5. The Complainant states that the signatures obtained from her spouse on the documents are invalid due to her spouse's poor health condition at the time, being heavily medicated. These actions by the Respondent, obtained clandestinely, were meant to usurp the scheduled property and deprive the Complainant and her family of their rightful ownership.

6. The Respondent has deliberately delayed the proceedings, knowing that the Complainant's spouse was suffering from cancer since 2015. The actions of the Respondent have left the Complainant and her family in a vulnerable position, causing emotional and financial distress.

7. The Respondent acted fraudulently by impersonating the Complainant's spouse even after his death. They continued to pursue the property under the name of the deceased in sworn affidavits, declarations, mortgage deeds, and rectification deeds. These documents, executed after

the death of the Complainant's spouse, are invalid and violate the provisions of the RERA Act.

8. The Complainant submits that all title documents, forms, and permissions related to the project, including the mortgage and rectification deeds, executed on behalf of the Respondent should be declared null and void. The project, known as *Safah Eminence*, should be reverted to the Complainant and her family as they are the rightful owners.

9. The Respondent fraudulently registered the project under false affidavits and declarations using the name of a deceased person. The project was registered under RERA on 30/03/2021 with the registration No:- P02500002719, valid until 09/11/2024, based on these false declarations. The registration is in direct violation of the RE(R&D) Act and must be set aside by the Appellate Authority.

10. The Complainant filed several complaints and representations but was ignored by the authorities. Despite multiple follow-ups and court orders, no concrete action has been taken by the concerned authorities. The Complainant has faced delays due to non-availability of officers and other procedural issues.

#### **B. Reliefs sought:**

11. In view of the facts mentioned in paragraph 4 above, the complainant prays for the following reliefs:

- a. To declare the registration certificate bearing Regn No. P02500002719 as null and void, thereby cancelling the same, and consequently directing the Respondent to hand over the project to the complainant.
- b. To impose a penalty on the Respondent for violating the provisions of the RE(R&D) Act, specifically for obtaining the revised building permission without the consent of the flat owners and for deviating from the sanctioned plan, in contravention of Section 14 of RE(R&D) Act.

- c. To compensate the complainant for the delay in completing the project and for using substandard materials and products that deviate from the specifications mentioned in the Agreement of Sale and Prospectus.
- d. To appoint an expert committee to ascertain the total livable area and common area of the project, ensuring that the Respondent is held accountable for overcharging the allottees for the common area.
- e. To conduct an enquiry into the diversion of funds paid by the allottees, which were misused for the commercial blocks owned by the Respondents, instead of completing the residential project as per the agreement.
- f. And to pass such other orders as this Honourable Authority may deem fit and proper in the interest of justice.

**C. Interim Orders:**

12. Complainant prayed for the following interim relief:

- a. Restrain the Respondent from proceeding with further construction on the scheduled premises bearing No. 8-2-309/7/5, Plot No.3, Shaikpet Village, Banjara Hills, Hyderabad.
- b. Restrain the Respondent from advertising or selling the constructed units of the project or alienating the property in any other manner until the final decision of this complaint.
- c. Restrain the Respondent from issuing occupancy certificates or obtaining any further permission until the project is reverted to the complainant.
- d. Call for the records of bank accounts of the Respondent in relation to the project and ensure that the accounts book and financial statements, duly certified by a chartered accountant, are submitted for inspection, as required under Section 4 of the RE(R&D) Act.

**D. Reply on behalf of the Respondent:**

13. It is submitted that the Complainant has approached this Hon'ble Authority by suppressing material facts and with unclean hands. The Complaint is not maintainable under the provisions of the Real Estate (Regulation and Development) Act, 2016, and the Telangana State Real Estate (Regulation and Development) Rules, 2017, and is liable to be dismissed.

14. It is submitted that all allegations made by the Complainant in the Complaint are denied as false and baseless, except what is specifically admitted herein. No averment in the Complaint shall be deemed to be admitted by the Respondent for want of specific traverse. The Complainant has approached this Hon'ble Authority with unclean hands and has suppressed material facts, and therefore has no locus standi to maintain the present Complaint.

15. It is submitted that the Complaint is not maintainable under the provisions of the Real Estate (Regulation and Development) Act, 2016, and the Telangana State Real Estate (Regulation and Development) Rules, 2017 ("RERA Rules"). The Complainant has failed to establish any right or entitlement to seek relief under RERA.

16. Vide the registered Development Agreement cum General Power of Attorney (GPA) dated 14.10.2014 (Registered Doc No. 1712 of 2015), Mr. Mir Hyder Ali Khan gave the property bearing No. H.No.8-2-309/7/5 in Survey No. 129/81, admeasuring 1642 sq. yds., situated at Shaikpet Village, Banjara Hills, Road No.14, for development to the Respondent.

17. As per the terms of the Development Agreement, Mr. Mir Hyder Ali Khan was entitled to a 33.33% share of the developed area, while the Respondent retained a 66.67% share of the developed area. Thereafter, with the Respondent's consent, Mr. Mir Hyder Ali Khan sold his entire share of 33.33% in the Property to Mr. Mohd Shaffi Osman, vide Sale Deed dated 23.06.2015 (Registered Doc No. 3172 of 2015) for a sale consideration of Rs. 3,01,40,000/-. Consequently, neither Mr. Mir Hyder Ali Khan nor any person claiming under him has any interest in the Property.

18. The Complainant has deliberately suppressed the fact that Mr. Mir Hyder Ali Khan had already alienated his entire interest in the Property via the Sale Deed dated 23.06.2015. The Sale Deed was placed before the Hon'ble High Court of Telangana in W.P No. 23248 of 2022, but the Complainant continues to suppress this fact in the present proceedings before this Hon'ble Authority.

19. In light of the above, the Complainant has no locus to maintain the present Complaint. A copy of the Sale Deed dated 23.06.2015 is filed and copies of the Writ Affidavit and Counter Affidavit filed by the Complainant in W.P No. 23248 of 2022.

20. The Complainant has falsely alleged that the Respondent has impersonated Mr. Mir Hyder Ali Khan and that the Respondent lacks the authority to register the project under the Real Estate (Regulation and Development) Act, 2016 ("RERA"). It is submitted that Mr. Mir Hyder Ali Khan passed away on 24.02.2016, as evidenced by the Death Certificate filed by the Complainant herself, which is after he had sold his interest in the Property to Mr. Mohd. Shaffi Osman.

21. The assertion that the project registration was obtained based on a false declaration of a deceased person is wholly incorrect and malicious. The Complainant's averments regarding the "payment schedule" are equally false, as no such schedule exists in the Development Agreement.

22. The Respondent, as the valid Power of Attorney holder under the Development Agreement cum GPA, was authorized to represent Mr. Mir Hyder Ali Khan before all statutory authorities. This includes signing declarations, forms, affidavits, and other documents necessary for obtaining the required permissions for the Property.

23. As per Section 202 of the Indian Contract Act, 1872, where the agent has an interest in the property subject to the agency, the agency cannot be terminated to the prejudice of such interest. Therefore, the agency of the Respondent did not terminate upon the death of Mr. Mir Hyder Ali Khan.

24. The Complainant is attempting to interfere with the development of the Property, despite having no locus standi. She seeks to unjustly enrich herself by claiming rights over the project after having acknowledged the sale of Mr. Mir Hyder Ali Khan's interest through a legal notice dated 16.06.2021, to which the Respondent replied on 28.06.2021. The Complainant is now suppressing both the notice and reply in her current submissions.

25. It is further submitted that the project has already received the Occupancy Certificate on 20.01.2023 (Annexure R-6). The Complainant's relief seeking cancellation of the Occupancy Certificate is infructuous and cannot be entertained at this stage.

26. The Complainant has falsely alleged that the Respondent impersonated Mr. Mir Hyder Ali Khan and filed a false declaration. The Death Certificate shows that Mr. Mir Hyder Ali Khan passed away on 24.02.2016, after selling his 33.33%



interest in the Property. Therefore, the allegations of false declarations are blatantly false.

27. The Complaint is an attempt to unjustly enrich the Complainant, who has no legal standing, by suppressing material facts. The Complainant's repeated misstatements and vague allegations regarding the payment schedule and registered development agreement are unfounded.

28. It is submitted that the Complainant had issued a legal notice dated 16.06.2021 to the Respondent, acknowledging the Sale Deed dated 23.06.2015, while making false claims about additional construction. The Respondent replied on 28.06.2021, clarifying that no additional construction had been made and that Mr. Mir Hyder Ali Khan had no remaining interest in the Property.

29. In light of the above, the Complainant has no locus to maintain the present Complaint, and the reliefs sought are not maintainable. The Respondent has validly obtained the required Occupancy Certificate for the Project, and the Complainant's claim that the project registration should be declared null and void is entirely without merit. It is humbly prayed that this Hon'ble Authority be pleased to

- I. Dismiss the Complaint with costs, and
- II. Pass such further orders as this Hon'ble Authority deems fit and proper in the interest of justice.

#### **E. Rejoinder to the reply of respondents**

30. The Complainant denies the Respondent's assertion regarding the existence of an unregistered gift deed dated 27/08/1987, as referenced in the Development Agreement cum GPA dated 14/10/2014 (Registered Doc No. 1712/2015). There was no valid Development Agreement cum GPA executed in 2014 or thereafter. The Respondent's claims are based on an ante-dated and legally void document, and no rights flow to the Respondent or his father from this document.

31. The Complainant denies that her late husband, Mir Hyder Ali Khan, executed a registered sale deed selling his 33.33% share in the Property to Mohd. Shaffi Osman, as claimed by the Respondent in the alleged sale deed (Registered Doc No. 3172/2015). This sale deed is false and denied, as no super built-up area

existed in 2014 or 2015 to be sold. No permissions were obtained from GHMC, and no construction had commenced, making the sale deed illegal, null, and void.

32. The Complainant denies that her late husband alienated his entire interest in the Property, and further denies the Respondent's assertion that the Complainant suppressed this fact. The Complainant was unaware of the execution of any such documents, and the Respondent's claim is without merit.

33. The Hon'ble High Court observed that the Complainant has the right to approach this Hon'ble Authority under the provisions of the Real Estate (Regulation and Development) Act, 2016, for revocation of the registration certificate. The Complainant has diligently pursued this matter, and her rights remain intact. Any claims by the Respondent suggesting undue delay are false and baseless.

34. The Respondent fraudulently impersonated the Complainant's late husband after his demise and wrongfully registered the project in his name without the Complainant's knowledge. This illegal registration must be declared null and void by this Hon'ble Authority, as the Respondent's actions constitute fraud.

35. The Respondent has submitted false affidavits and fabricated documents, to this Hon'ble Authority. These documents were submitted fraudulently, and the Respondent's actions should be declared unlawful.

36. At the time when these documents were allegedly executed, late Mir Hyder Ali Khan was suffering from severe cancer and undergoing chemotherapy. He was heavily medicated and in no condition to understand or execute any documents.

37. The Respondent obtained these documents without the knowledge of the Complainant or her sons, during the critical illness of her husband, who passed away on 24/02/2016. The Respondent's actions are deceitful and should be deemed void.

38. The registered development agreement is fraudulent as it lacks any payment made to the Complainant's spouse. In a normal development agreement, substantial advance payments are made, but in this case, no such payment occurred. The Respondent did not fulfill the terms of the agreement, and thus, no contractual rights arise from this document.



39. The Complainant asserts that the alleged sale deed is incorrect and that no amounts were paid as stated in the document. There was no construction on the Property at the time, and thus no rights or authority flow to the Respondent or his father from the development agreement or sale deed.

40. The Respondent's claims that the registered documents (sale deed and development agreement cum GPA) are valid and legally binding are misleading. Neither document provides any legal rights or authority to the Respondent or his father. Both the sale deed and the development agreement are void from the outset and cannot confer any legal standing to the Respondent.

41. The Complainant prays that the registration certificate issued to the Respondent by this Hon'ble Authority be declared null and void, as no valid documents exist before or after her husband's demise that would grant the Respondent any legal rights to claim the Property. The Respondent's rights, if any, are nullified, and the registration certificate should be revoked accordingly. (Ref: Para 7 of Respondent's reply)

42. The Respondent had no right or authority to sign declarations, forms, or statements required by RERA or GHMC on behalf of the Complainant's late husband. The permissions obtained by the Respondent through these false representations must be revoked by this Hon'ble Authority.

43. The Complainant and her sons did not benefit from the alleged 33.33% share in the Property as claimed by the Respondent. No construction of the super built-up area existed in 2015, and no payments were made to the Complainant's spouse. Therefore, the Respondent's defence based on this false assertion is without merit.

44. In view of the above submissions, the Complainant prays that this Hon'ble Authority dismiss the Respondent's claims based on fraudulent documents. The registration certificate issued to the Respondent must be revoked, and all reliefs sought by the Complainant should be granted in full.

#### **F. Observations of the Authority:**

45. The complainant additionally submitted that due to non availability of the officers in this Authority in the year 2021, the complainants were constrained to

file WP 23248/2022 in which the Hon'ble High court disposed of the matter stating " the aforesaid provisions governing the field make it very clear that for revocation of certificate of registration, there is a remedy provided under the Act. Therefore writ petition stands disposed of with a liberty to take shelter of the provisions of the Act read with rules framed thereunder".

46. Learned counsel for the complainant and respondent has filed brief written arguments.

47. On the basis of rival contentions of the parties and law on the subject, the point that arise for consideration in this case is as under:-

**48. Point no. 1:** Whether the Present Complaint is Maintainable Before the Authority?

1. The present case requires the Real Estate Regulatory Authority (RERA) to adjudicate the maintainability of a Complaint filed by Smt. Hoorunnisa Begum (the Complainant) against Mr. Mohd Shaffi Osman (the Respondent). The Complaint arises from a property dispute related to a Sale Deed executed by the Complainant's late husband, Mr. Mir Hyder Ali Khan, who transferred his 33.33% share in a property to the Respondent through a registered Sale Deed dated 23.06.2015. The Complainant is challenging the transaction on the grounds that she was unaware of the sale and that her husband's interest in the property should not have been fully transferred without her knowledge or consent. The Respondent, on the other hand, maintains that the Complaint is not maintainable before this Authority for several reasons, including the Complainant's lack of locus standi, her inability to claim interest in a property legally transferred via the Sale Deed, and the absence of any breach of obligations under the Real Estate (Regulation and Development) Act, 2016 (RERA).
2. The facts underpinning this case are central to determining its maintainability. Smt. Hoorunnisa Begum is the widow of Mr. Mir Hyder Ali Khan, who was a co-owner of the property in dispute, holding a 33.33% share. On 23.06.2015, Mr. Mir Hyder Ali Khan executed a Sale Deed transferring his share of the property to the Respondent, Mr. Mohd Shaffi Osman. This Sale Deed was duly registered as Document No. 3172 of 2015, signifying the legal transfer of Mr. Hyder Ali Khan's interest in the property to the Respondent. Following the

death of her husband, the Complainant has sought to challenge the legality of the Sale Deed, alleging that it was executed without her knowledge and that she retains a claim to the property.

3. However, the Respondent has consistently maintained that the Sale Deed was executed lawfully and that, upon its execution, all interest in the property previously held by Mr. Mir Hyder Ali Khan was extinguished. As a result, the Respondent contends that the Complainant has no valid claim to the property, as she has inherited no interest in it following her husband's sale. In addition, the Respondent argues that the Complaint does not meet the jurisdictional requirements under RERA, as it pertains to property ownership and title disputes rather than matters falling under the regulatory framework of RERA, which is focused on protecting homebuyers and ensuring the proper conduct of developers in real estate projects.
4. The Respondent's key argument against the maintainability of the Complaint rests on the Complainant's lack of locus standi. Locus standi refers to the legal standing or capacity of a party to bring an action before the court or regulatory authority. The principle is founded on the idea that only those individuals who are directly affected by a legal issue or have a personal stake in the matter are entitled to pursue legal remedies. In the present case, the Respondent asserts that the Complainant lacks locus standi because her husband, Mr. Mir Hyder Ali Khan, lawfully transferred his interest in the property to the Respondent through the Sale Deed. Once the Sale Deed was executed, Mr. Hyder Ali Khan no longer held any legal interest in the property, and therefore, after his death, there was no interest left for the Complainant to inherit or claim.
5. The Respondent further contends that the Complainant does not qualify as an "aggrieved person" as defined under Section 31 of the RE(R&D) Act. Under this section, only an aggrieved person can file a Complaint with the Regulatory Authority against a promoter or developer for any violations of the provisions of RE(R&D) Act or its TG RERA Rules. In the Respondent's view, the Complainant does not meet the definition of an aggrieved person because she is not an allottee, homebuyer, or stakeholder in the project. Instead, her claims pertain to the ownership and title of the property, which are matters best suited for adjudication by a civil court, and beyond the scope of RERA. The Respondent emphasizes that RERA's jurisdiction is limited to real estate development projects and transactions between promoters and buyers, and it does not extend to disputes over the validity of Sale Deeds or ownership rights.

6. Additionally, the Respondent highlights that the Complainant's allegations of fraud in the execution of the Sale Deed are without merit and unsupported by evidence. The Sale Deed was executed voluntarily and lawfully, and the Complainant has not provided any proof of coercion, undue influence, or misrepresentation in the transaction. In cases involving allegations of fraud, the burden of proof lies on the party making the allegations, and mere assertions of wrongdoing are insufficient to invalidate a validly executed legal document. The Respondent points to case law that supports this view, such as *S.P. Chengalvaraya Naidu v. Jagannath* [(1994) 1 SCC 1], where the Supreme Court held that fraud must be clearly established by the party alleging it, and vague or unsubstantiated claims cannot form the basis for annulling a transaction.
7. In order to assess the maintainability of the Complaint, it is essential to examine the relevant statutory provisions under the Real Estate (Regulation and Development) Act, 2016. Section 31 of RE(R&D) Act provides that an "aggrieved person" may file a Complaint with the Regulatory Authority regarding any contravention or violation of the said Act's provisions by the promoter or developer. The said Act is primarily aimed at protecting the interests of homebuyers and regulating the behaviour of real estate developers to ensure transparency, accountability, and timely completion of real estate projects.
8. The term "aggrieved person" is crucial for determining who can file a Complaint under RERA. Although the said Act does not provide a precise definition, the phrase has generally been interpreted to include homebuyers, allottees, and stakeholders who are directly affected by the actions or omissions of the promoter in relation to the real estate project. It is important to note that RERA was not designed to adjudicate disputes over property ownership or title, which fall within the jurisdiction of civil courts.
9. The powers of the Regulatory Authority under RE(R&D) Act are also limited to specific actions, such as imposing penalties on promoters for failing to comply with the said Act's provisions, revoking the registration of real estate projects, and ensuring the protection of buyers' rights. Section 7 of the RE(R&D) Act allows the Regulatory Authority to revoke the registration of a project if the promoter defaults in complying with the obligations under the said Act. However, such revocation can only occur if there is a breach of RE(R&D) provisions, such as failure to complete the project, mismanagement of funds,

or violation of the terms of the agreement between the promoter and the buyer. In the present case, the Complainant has not provided any evidence of such breaches, making her demand for revocation of the project's registration legally unsustainable.

10. Indian courts have consistently upheld the principle of locus standi and have provided guidance on the application of this doctrine in various legal contexts, including under RERA. One of the leading cases on locus standi is ***Ayaub Khan Noor Khan Pathan v. State of Maharashtra & Ors.* [(2013) 4 SCC 465]**, where the Supreme Court held that locus standi is a jurisdictional issue that must be satisfied before a party can be heard. The Court emphasized that only individuals who have a direct interest or substantial connection to the matter are entitled to pursue legal action. In the context of the present case, the Complainant lacks a direct interest in the property following the execution of the Sale Deed by her husband, which eliminates her locus standi to maintain the Complaint.
11. Another case that is very similar to the present case is ***Arun Porob Mambro and Wides Properties and Holdings vs. GERA Development Pvt. Ltd*** [Case No.: F. No. 3/RERA/Complaint (152)/2020/561]- This case, filed under Section 7 of the Real Estate (Regulation and Development) Act, 2016, was brought before the Real Estate Regulatory Authority (RERA) in Goa by the complainants, Arun Porob Mambro and Wides Properties and Holdings. The complainants sought the revocation of the RERA registration granted to the respondent, GERA Development Pvt. Ltd., on the grounds that the respondent had no legal title to the property in question and had obtained RERA registration by submitting false and fraudulent documents. The complainants alleged that the respondent had falsely claimed ownership of the disputed property, supporting their argument with a detailed history of how the property had devolved to their family. They contended that the title report submitted by the respondent to RERA was fabricated and thus amounted to fraud on both the Authority and prospective buyers. Based on this, the complainants sought to revoke the registration granted to the respondent's project, asserting that the respondent's actions amounted to fraudulent practices under the RE(R&D) Act. In response, GERA Development Pvt. Ltd. maintained that they had legally acquired the property and held valid ownership rights. The respondent pointed out that the complainants had filed multiple civil suits regarding the title of the property, all of which were still

pending before civil courts. They argued that the Goa RERA Authority was not competent to adjudicate disputes relating to the ownership or title of the property, as these matters fell under the jurisdiction of civil courts.

12. Upon reviewing the case, the Goa RERA Authority observed that while the complainants claimed ownership of the disputed property, they had not presented any declaration from a competent civil court affirming their ownership. The Authority reiterated that it lacked the jurisdiction to rule on ownership disputes or to question the validity of title documents, which were issues reserved for civil courts. Without a court declaration confirming that the complainants had ownership rights over the property, the Authority could not take action to revoke the respondent's registration on the basis of the alleged fraud.
13. As a result, the Goa RERA Authority dismissed the complaint, concluding that the claims of fraud could only be substantiated if a civil court declared that the respondent did not have legal title to the property. The complainants were advised to seek such a declaration from a civil court before approaching the RERA Authority for further action. Accordingly, the request for revocation of the RERA registration was denied, and the case was dismissed on the grounds that it was not maintainable before RERA in its current form. In conclusion, the complaint was rejected, with the RERA Authority stating that it was beyond its jurisdiction to decide on ownership disputes, leaving the complainants to pursue their claims in a civil court before taking any further action under the RE(R&D) Act.
14. Based on the statutory provisions and judicial precedents discussed above, it is evident that the present Complaint is not maintainable before the Real Estate Regulatory Authority. First, the Complainant lacks locus standi to bring the Complaint because she has no direct or substantial interest in the property after her husband sold his 33.33% share to the Respondent. The Sale Deed, executed on 23.06.2015, represents a complete and final transfer of interest, and the Complainant has not demonstrated any legal basis for her claim to the property.
15. Second, the Complainant's claims fall outside the scope of RE(R&D) Act, as they pertain to the validity of the Sale Deed and allegations of fraud. These are issues of property ownership and title, which are best adjudicated by civil courts, beyond the scope of RERA. The primary purpose of RERA is to ensure transparency in real estate transactions, and protect the interests of



homebuyers. It does not have the jurisdiction to resolve disputes over property title or ownership.

16. Finally, the Complainant has not provided any evidence of a breach of RE(R&D) Act provisions by the Respondent. Her request for the revocation of the project's registration under Section 7 of RE(R&D) is not supported by any facts or legal arguments that would justify such an action. The project's registration can only be revoked if the promoter fails to comply with the obligations under RE(R&D) Act, such as delays in project completion or misappropriation of funds, neither of which has been demonstrated in this case. Further the Occupancy certificate is already issued by the competent authority- Planning & Development control Authority categorising the said project is completed.
17. In conclusion, the present Complaint is not maintainable before the Real Estate Regulatory Authority. The Complainant lacks the necessary locus standi to file the Complaint, as she has no direct interest in the property following the execution of the Sale Deed by her late husband. Additionally, the claims raised by the Complainant relate to issues of property ownership and title, which fall outside the jurisdiction of this Authority. As such, the Complaint is dismissed at the threshold for lack of maintainability.
46. In light of the above findings, the present complaint stands dismissed.
47. The parties shall bear their own costs.

**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**