BEFORE TELANGANA REAL ESTATE REGULATORY AUTHORITY

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

Complaint No. 86 of 2025

Dated: 16th October 2025

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

Polisetty Swetha

(H. No. 2-4-120/14/7
1st floor, South Swaroop Nagar,
Uppal, Hyderabad – 500039)

…Complainant

Versus

1. M/s. Krithika Infra Developers
   Rep. by its Managing Partner, D. Srikanth
   (3rd and 4th Floor, X Roads, Beside Bahar Café,
   Opp. HP Petrol Pump, LB Nagar, Hyderabad, Telangana – 500074)

2. Sri. D. Srikanth
   (3rd and 4th Floor, X Roads, Beside Bahar Café,
   Opp. HP Petrol Pump, LB Nagar, Hyderabad, Telangana – 500074)

3. Sri. D. Gopal
   (H. No. 7-67, GVR Colony, Thattiannaram Village, Abdullapurmet Mandal,
   Ranga Reddy District, Telangana- 500068)

4. Smt. Radha Bhukya
   (R/o of 3rd and 4th Floor, X Roads, Beside Bahar Café,
   Opp. HP Petrol Pump, LB Nagar, Hyderabad, Telangana – 500074.)

5. Mr D. Shashikanth
   (R/o of 3rd and 4th Floor, X Roads, Beside Bahar Café,
   Opp. HP Petrol Pump,LB Nagar, Hyderabad, Telangana – 500074.)

…Respondents

The present matter filed by the Complainant herein came up for hearing before this Authority in the presence of the Complainant in person, and none appeared on behalf of the Respondents despite service of notice; hence set ex parte and upon hearing the submissions of the Complainant, this Authority proceeds to pass the following **ORDER**:

2. The present Complaint has been filed by the Complainant 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 Respondents.

A. Brief facts of the case:

3. The Complainant submitted that she had purchased a flat in the Respondent’s project. The details of the flat are as follows: Flat No. 308, Block A, 3rd Floor, East-facing, with an area of 1,594 sq. fts. The Complainant has paid the total sale consideration of Rs. 41,20,000/- as per the Agreement for Sale dated 20.06.2022. It was undertaken by the Respondent that the possession of the flat would be delivered within a period of two years from the date of execution of the Agreement.

4. However, the Complainant contended that, to date, no construction activity has been initiated on the project. Further, it has been alleged that the project is not registered under the Real Estate (Regulation and Development) Act, and no registration of the land has been undertaken by the Respondent.

B. Relief(s) Sought:

5. Accordingly, the Complainant sought the following reliefs:

I. Refund of the principal amount of ₹54,26,190/- (Fifty-Four Lakhs Twenty Six Thousand One Hundred and Ninety Only) along with Interest as per the govt norms.(OR)

II. Direct the developer to register the land to the aggrieved, to get the registration, to commence the development works at the earliest and register and deliver the flat at the earliest

C. Points to be determined:

6. Based on the facts and circumstances placed before this Authority, the following questions arise for adjudication:

I. Whether the Respondents violated Section 3 of the RE(R&D) Act, 2016 by advertising, marketing, and offering for sale the “Sheshadri’s Silver Oak” project without obtaining registration with the Authority?

II. Whether the Complainant is entitled to the reliefs sought?

D. Observations of the Authority:

7. Before further adjudicating on the matter, this Authority takes due note of the repeated non-compliance by the Respondents, who have failed to appear before this Authority despite service of multiple notices and affording sufficient opportunities. In view of their continued absence, the Respondents are hereby set ex parte on 13.06.2025, and the matter is being adjudicated based on the pleadings, documents, and submissions placed on record by the Complainant.

POINT I

8. Upon perusal of the available documents submitted by the Complainant, it is evident that the Respondent promoted and sold residential units in the project titled "Sheshadri's Silver Oak" located at Survey No. 215, Boduppal Village, without obtaining registration under Section 3 of the RE(R&D) Act, 2016. The land in question exceeds the threshold of 500 sq. meters as specified under Section 3(2)(a) of the RE(R&D) Act, 2016and involves more than eight units, which mandates registration with the Authority.

9. In the present matter, the Complainant has submitted a copy of the Agreement of Sale dated 20.06.2022, which confirms that the Respondent collected a sum of ₹41,20,000/- to sell a proposed residential flat with built up area of 1594 Sq.fts, inclusive of all common areas, with one car parking area, in Sheshadri's Silver Oak, along with undivided share of land admeasuring 35 Sq.Yds. The agreement of sale was entered into prior to obtaining registration with RERA.

10. It is pertinent to mention that this Authority has already dealt with similar violations by the same Respondent in Complaint No. 115 of 2024**,** which related to this very project. After a detailed examination of that matter, this Authority passed an order, holding that they had violated provisions of the RE(R&D) Act 2016. In that said order, it was found that the Respondent had marketed and sold units without registering the project with this authority, in contravention of Sections 3 and 4 of the RE(R&D) Act, 2016. Further, the Respondent had also received advance payments exceeding 10% of the consideration prior to execution of a registered agreement for sale, thereby violating under Section 13(1) of RE(R&D) Act, 2016. Consequently, a penalty of ₹9,96,050/- was levied on the Respondent under Sections 59, 60, and 61 of the RE(R&D) Act, 2016, and the Respondent was directed to register the project without further delay and to restrain from engaging in any marketing or sale activity until compliance was ensured.

11. As this Authority had already adjudicated the matter on similar facts and imposed a penalty for violation of Section 3. Therefore, the issue of unregistered development by the Respondent-promoter in the present case stands on an identical footing, and has already been addressed through the said earlier order.

12. Furthermore, this authority has issued Public Notice dated 25.04.2025, cautioning the public not to enter into any transactions or purchase any plots in the real estate projects purported to be promoted by M/s Krithika Infra Developers Pvt. Ltd. and M/s Krithika Infra Developers.

The relevant portion of the said public notice is as follows:

> *Contrary to the above provision, M/s Krithika Infra Developers Pvt. Ltd. and M/s Krithika Infra Developers have collected amounts exceeding the prescribed limit from allottees without executing and registering any written agreement for sale.*
>
> *It is evident that the said entities have fraudulently collected substantial amounts from the general public without fulfilling their legal obligations, thereby cheating and misleading innocent allottees.*
>
> ***In view of the above, the general public is hereby cautioned and strictly advised not to enter into any transactions or purchase any plots in the real estate projects purported to be promoted by M/s Krithika Infra Developers Pvt. Ltd. and M/s Krithika Infra Developers.***

13. Hence, Point I is answered in the affirmative

POINT II

14. The Authority, upon perusal of the documents placed on record, observes that the Respondent No.1 has obtained permission bearing No. 009613/BP/HMDA/2100/GHT/2023 for the construction of 2 Cellars + 1 Stilt + 1 Upper Floor. However, despite obtaining such permission, the Respondent No.1 has neither commenced any construction activity in the said project nor demonstrated any bona fide intention to fulfil its contractual obligations. Such continued inaction, even after collecting substantial amounts of money from the Complainant, points to a deliberate and dishonest course of conduct from the Respondents. In these circumstances, under Section 18(1) of the RE(R&D) Act, 2016 it extends a clear statutory right to an allottee to seek a refund along with interest where the promoter/Respondents either fails

to complete the project or is unable to hand over possession within the stipulated timeframe. So, the allottee is entitled for a refund with interest. In the present case, the issue is not merely one of delay; it is a case of complete inaction on the Respondents.

15. In light of the above foregoing observations, this Authority notes that the Complainant is entitled for relief as mentioned in the main complaint under Section 18(1)(a) of the Real Estate (Regulation and Development) Act, 2016, which reads as follows:

(1) If the promoter fails to complete or is unable to give possession of an apartment, plot or building,

(a) in accordance with the terms of the agreement for sale or, as the case may be, duly completed by the date specified therein; or

(b) due to discontinuance of his business as a developer on account of suspension or revocation of the registration under this Act or for any other reason, he shall be liable on demand to the allottees, in case the allottee wishes to withdraw from the project, without prejudice to any other remedy available, to return the amount received by him in respect of that apartment, plot, building, as the case may be, with interest at such rate as may be prescribed in this behalf including compensation in the manner as provided under this Act:

16. In the present case, the Respondent neither completed the project nor initiated the mandatory statutory processes required for lawful execution of the project. The continued failure to commence the construction clearly amounts to a violation of the provisions of the RE(R&D) Act, 2016.

17. Accordingly, the Complainant entitled for Refund of the amount paid by her to the Respondents and also with the interest at the rate prescribed under Rule 15 of the Telangana Real Estate (Regulation and Development) Rules, 2017, i.e., the State Bank of India's Marginal Cost of Lending Rate (MCLR) plus 2% per annum (i.e., 8.75% + 2%), calculated from the respective date of Agreement of sale until the date of actual refund.

18. In view of the above findings, this Authority is of the considered that the Complainant is entitled to the relief sought, refund of the entire sale consideration with interest.

19. Further, this Authority takes serious and adverse cognizance of the repeated, deliberate, and systemic noncompliance exhibited by Respondent No.1, M/s. Krithika Infra Developers,

not only in the present case but also across several other projects promoted, facilitated, or controlled by it, either directly as a promoter or indirectly through its associated entities, directors, and agents

20. The records of this Authority reveal that multiple complaints, both pending and adjudicated, pertaining to projects such as "Sheshadri's Silver Oak" and several other similarly styled developments attributed to the Respondent, disclose a recurring, calculated, and deliberate pattern of statutory violations. This pattern demonstrates that the Respondent has engaged in malpractice, misrepresentation, and deception of the public at large with a consistent intention to evade the regulatory framework established under the Real Estate (Regulation and Development) Act, 2016.

21. These violations include, but are not limited to—

a) Undertaking real estate development activities without registering the projects with this Authority, in flagrant violation of Section 3 of the RE(R&D) Act;
b) Indulging in advertising, marketing, and soliciting bookings in unregistered projects, thereby misleading and deceiving innocent purchasers;
c) Receiving substantial sums of money from allottees without executing valid and registered agreements of sale, in contravention of RE(R&D) Act; and
d) collected major portions of sale consideration without having any legal entitlement over the project, amounting to unfair trade practice.

22. This Authority notes with dismay that even in matters previously adjudicated, the Respondent was categorically found guilty of violating multiple provisions of the Act. Monetary penalties were imposed for non-registration, and directions were issued for refund, payment of interest, and compliance with statutory duties. Yet, the Respondent has neither complied with such directions nor paid the penalties imposed, reflecting a conscious and continued defiance of lawful orders.

23. Further, the Respondent has consistently exhibited wilful contempt for the authority. Despite due service of notices, publication of public notice, and repeated opportunities, the Respondent has failed to appear, file replies, or offer any explanation. Such recalcitrant conduct demonstrates wilful disobedience, procedural evasion, and a premeditated intention to obstruct justice and subvert regulatory oversight. The Respondent's conduct strikes at the very root of the regulatory mechanism envisaged under the RE(R&D) Act, thereby undermining the faith of allottees and the integrity of the real estate sector.

24. In light of the above, and considering the grave, continued, and wilful violations of statutory obligations, coupled with the malafide intent to deceive and defraud the public at large, this Authority is constrained to hold that the Respondent has engaged in malpractice, unfair trade practice, and deliberate misrepresentation within the meaning and spirit of the Real Estate (Regulation and Development) Act, 2016

25. Accordingly, in exercise of the powers conferred under Sections 37 and 38 of RE(R&D) Act, 2016, and in the larger public interest, this Authority hereby declares Respondent No.1, M/s. Krithika Infra Developers, to be a "defaulter" and a habitual violator of the provisions of the RE(R&D) Act. Consequently, the Respondent, including its directors, partners, and associated entities, is prohibited from undertaking, advertising, marketing, booking, selling, or registering any new real estate project within the jurisdiction of this Authority.

This declaration shall also be communicated to all other State Real Estate Regulatory Authorities, as well as to the local planning authorities (HMDA/GHMC), so as to ensure that no future project approvals are granted in favour of the Respondent or its associated entities until compliance is duly verified. This measure is considered necessary to prevent further prejudice to innocent purchasers and to uphold the sanctity and deterrent efficacy of the regulatory framework under the RE(R&D) Act.

26. Hence, Point II is answered in the affirmative, and the Complainant is entitled for refund along with applicable interest.

E. Directions of the Authority:

27. In exercise of the powers conferred upon this Authority under Sections 37 and 38 of the Real Estate (Regulation and Development) Act, 2016, and in furtherance of the findings and conclusions drawn hereinabove, the following directions are hereby issued:

a) The Respondent No. 1 is directed to refund Rs. 41,20,000/- (Forty One Lakh Twenty Thousand) along with interest at the rate of 10.75% per annum (SBI MCLR of 8.75% + 2%) from the date of the Agreement of Sale dated 20.06.2022 till the date of actual refund in accordance with Rule 15 of the Telangana RE(R&D) Rules, 2017 within 30 (thirty) days from the date of this Order.

b) The Respondent No.1/Promoter is hereby declared a "defaulter" for continuous and wilful violation of the provisions of the RE(R&D) Act, 2016. As a result, any developmental activities undertaken by the Respondent No.1, Promoter, stand terminated with immediate effect. The impugned developer is hereby restrained from undertaking any further advertisement, marketing, booking, sale, or offering for sale of any apartment or part thereof in the said project or any other projects in the future, in any manner whatsoever.

c) Furthermore, the Secretary, TG RERA, is directed to ensure the name of the Respondent Developer shall be included in the list of defaulters declared by this Authority, and the same, along with the photographs of the Promoters, shall be prominently displayed on the official website of TG RERA for public notice and awareness. communicated to all other State Real Estate Regulatory Authorities, as well as to the local planning authorities (HMDA/GHMC), so as to ensure that no future project approvals are granted in favour of the Respondent or its associated entities until compliance is duly verified.

d) Failing to comply with the above-said direction by the Respondent shall attract a penalty in accordance with Section 63 of the RE(R&D) Act, 2016.

28. The complaint stands disposed of in the above terms. There shall be no order as to costs.

Sd/-	**Sd/-**	**Sd/-**
Sri K. Srinivasa Rao,	**Sri Laxminarayana Jannu,**	**Dr. N. Satyanarayana, IAS (Retd.),**
Hon'ble Member,	**Hon'ble Member,**	**Hon'ble Chairperson**
TG RERA	**TG RERA**	**TG RERA**