

BEFORE TELANGANA REAL ESTATE REGULATORY AUTHORITY

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

Complaint No. 85 of 2024

17th September 2025

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

Bomma Laxmikanth

R/o- Flat No. F-412, Indis VB City, Turkapally Village

Macha Bollarum

Alwal, Hyderabad

Telangana 500010

...Complainant

AND

1. VB City LLP Represented by its Promoters/Land Owner/Investor Gummadi Anand Reddy
R/o Plot No - 825 ROAD NO -44

Jubilee Hills, Hyd -500033

2. VB City LLP Represented by its Promoters /Land Owner/Investor Gummadi Sharada Reddy

R/o Plot No - 825 ROAD NO -44

Jubilee Hills, Hyd -500033

3. VB City LLP Represented by its Promoters/Land Owner/Investor G Aruna Reddy

R/o Plot No - 825 ROAD NO -44

Jubilee Hills, Hyd -500033

4. VB City LLP Represented by its Promoters/Land Owner/Investor G. Naveena

R/o Plot No - 825 ROAD NO-44

Jubilee Hills, Hyd -500033

5. Anitha Agarwal

R/o 6-11-511/FN6/A, Shalivahana Nagar,

Dilsukth Nagar, Hyderabad-500036.

...Respondent(s)

The present matter filed by the Complainants herein came up for hearing on 17.07.2025 before this Authority in the presence of and Complainant in person, and Counsel for the Respondent No.1-4, Ch. Sharath Babu appeared in person, and after hearing the submission made by both the parties, this Authority passes 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 he had purchased Flat No. F-513, admeasuring 842.11 sq.ft., along with one car parking space, situated on the 5th Floor of “Tower-F” constructed in Survey Nos. 70 and 71, forming part of the residential project “VB CITY”. The said flat was purchased from Respondent No. 5, Smt. Anitha Agarwal, through a registered Sale Deed dated 20.07.2022. The said Sale Deed records that the Complainant was handed over vacant and peaceful possession of the said flat.

4. It is submitted that Respondent No. 5 had earlier purchased the said flat from Respondent Nos. 1 to 4 through a registered Sale Deed dated 31.03.2022, thereby deriving title from the developer entities.

5. The Complainant further submitted that on 19.04.2024, while he was away from the premises, a fire broke out in Flat No. F-513. The incident was first noticed by fellow residents and the security personnel, who promptly attempted to control and extinguish the fire.

6. However, their efforts were seriously hindered due to the non-availability of adequate fire extinguishers within the premises. The situation was further exacerbated by an alarming lack of water pressure in the fire-fighting system installed in the building.

7. The Complainant alleged that these deficiencies reflect gross negligence on the part of the developer, particularly in failing to ensure the installation and maintenance of functional fire safety equipment as mandated by applicable laws and building regulations.

8. As a result of the above, the fire caused extensive damage to the Complainant's property and posed a grave threat to the safety and well-being of other residents in the tower.

B. Reliefs Sought

9. The Complainants has sought the following reliefs:

- a) Rectification of electricals in all the flats of the project and installation of the requisite firefighting systems as per national building code to prevent future incidents
- b) Restoration of the damaged flat by repairing the damages, flooring, ceiling, changing electrical wiring, removal of accumulated soot and painting of the walls and other miscellaneous works like plumbing, etc.
- c) Restoration of corridor by clearing the soot and painting

C. Counter filed by the Respondent No.1-4

10. Respondent Nos. 1 to 4 have filed a detailed reply wherein they submitted that the Complainant lacks the locus standi to maintain the present complaint before this Authority. It was contended that a registered Association, namely, VB City Flat Owner's Cooperative Maintenance Society Limited, bearing Registration No. 583/2021-R dated 09.04.2021, is already in existence and is competent to address issues concerning the maintenance of the project. The Respondent No.1-4 further submitted that, as on date, no complaint regarding faulty electricals has been received from the said Association or from any other resident.

11. Respondent Nos. 1 to 4 submitted that the construction of the building over land measuring 11.10 acres in Survey Nos. 70 and 71, situated at Turkapally Village, Alwal, under the jurisdiction of GHMC, Alwal Mandal, Medchal-Malkajgiri District, was carried out in strict accordance with the building permit bearing No. 1/C27/18828/2018 dated 11.12.2018 issued by GHMC. It was submitted that Phase I of the VB City project comprises Blocks A to F, with each block containing 70 units, amounting to a total of 420 residential units. As per the Respondents, handover of all individual units in Phase I was completed in the year 2021.

12. The Respondent No.1-4 further submitted that the project was completed in compliance with the sanctioned plan and all statutory requirements, following which GHMC issued an Occupancy Certificate vide Proceedings No. 1/C27/04263/2021 dated 18.03.2021. It was contended that the issuance of the Occupancy Certificate by the competent authority is conclusive proof that the project meets all applicable safety and quality standards and was completed in accordance with law. The Respondents relied on the said certificate to demonstrate that there existed no construction defects in the building, including any relating to electrical systems.

13. The Respondent No. 1-4 submitted that the Complainant had filed an application before the Electrical Department and GHMC on 22.04.2024 seeking an inspection report for the subject flat. Pursuant thereto, the Director of Electrical and Vigilance Department of GHMC inspected the flat and issued an inspection report dated 29.04.2024. In the said report, it was categorically stated on page 2 under the remarks section that the building is a non-high-rise residential structure with a height of 14.90 metres and therefore not subject to mandatory Fire NOC requirements. The Respondents extracted the relevant portion of the report, which clarified that, under prevailing rules, the builder was not required to obtain a Fire NOC for such construction.

14. It was also submitted by the Respondent No.1-4 that all 420 flats in Phase I have been occupied by their respective owners, including the Complainant, and that, to date, no complaints have been received from any other residents regarding any electrical defects. Therefore, the Respondents contended that the fire incident in the Complainant's flat was the result of his own negligence or other factors beyond the control of the Respondents and not due to any deficiency or omission on their part. The Respondents further submitted that, as per Clause 12(2)(b) of the Telangana State Real Estate (Regulation and Development) Rules, 2017, natural wear and tear of fittings related to plumbing, sanitary, electrical, and hardware are specifically excluded from the defect liability period. They also cited that such Rules were framed by the State Government in exercise of powers under Section 84 read with clause (g)(iv) of Section 2 of the RE(R&D) Act, 2016.

15. The Respondents submitted that, after filing the Vakalat, they came to know that the corridor outside Flat No. 513 had not been cleaned following the fire incident. However, since FIR No. 257/2024 dated 19.04.2024 had been registered and another case CC No. 02 of 2024 was pending before this Authority under Form "N," the Respondents refrained from cleaning

the corridor to avoid any interference with the ongoing legal proceedings. Subsequently, upon receiving legal clarity, the Respondents proceeded to clean and restore the corridor to its original condition.

16. It was also submitted that the Complainant is not the original allottee of the subject flat. Initially, the flat was purchased by one Ms. Anitha Agarwal, who is arrayed as Respondent No.5, from VB City LLP on 31.03.2022. The Complainant subsequently purchased the flat in resale from Respondent No.5 on 20.07.2022. It was submitted that, post-purchase, the Complainant undertook extensive interior modifications, including substantial electrical works, the details of which remain unclear. The Respondents, therefore, argued that the source of the electrical malfunction leading to the fire cannot be attributed to the original builder's work in the absence of any expert report.

17. The Respondents further stated that they had engaged M/s. Micron Electricals, a reputed "SUPER GRADE" and Class-1/Class-A certified electrical contractor, for execution of all electrical works across the VB City project. It was asserted that the said contractor is known for quality installations and that high-grade materials and standards were employed throughout the project.

18. They further alleged that the Complainant, after purchasing the flat in the secondary sale, installed excessive lighting and false wooden ceiling panels that significantly increased the electrical load, resulting in frequent power tripping in the flat. Despite being warned multiple times, the Complainant allegedly took no steps to address the overload. It was also stated, upon internal enquiry, that the Complainant had stored a large number of office files in the premises, which may have contributed to the rapid spread of fire during the incident on 19.04.2024 at around 06:35 a.m., causing damage to interiors and various electronic items, along with cash and gold ornaments. The Respondents maintained that the Complainant's own negligent conduct led to the fire.

19. The Respondents further submitted that the Complainant had filed a complaint with the Station House Officer, Alwal, resulting in registration of FIR No. 257/2024 dated 19.04.2024. However, they asserted that mere registration of an FIR does not amount to a finding of guilt and, therefore, cannot be taken as evidence of any liability on their part. They contended that the said criminal proceedings are unrelated to the matter before this Authority.

20. It was also submitted that, as per information gathered from other residents, the Complainant was in a hurry to leave for work on the morning of the incident. He left his flat around 06:35 a.m., and within five minutes thereafter, the fire reportedly broke out. The Respondents contended that the Complainant may have forgotten to switch off an electrical device, which ultimately triggered the fire, thereby making him solely responsible for the mishap.

21. The Respondents also pointed out that the facility maintenance team, M/s. Dabar, responded promptly to the fire incident at 06:45 a.m., and simultaneously informed the Fire Department. The fire safety mechanisms installed at the site were immediately activated, including the use of fire extinguishers and fire safety balls, which helped to contain the fire before the arrival of the fire engine, thereby preventing its spread and mitigating further damage.

22. Lastly, the Respondents asserted that the Complainant's allegations are baseless, devoid of evidence, and represent an attempt to shift the burden of responsibility onto the builder unjustly. They reiterated that they are not liable for any damages or repair works sought by the Complainant and prayed that the present complaint be dismissed in its entirety. They also emphasized that the Complainant has failed to provide any specific or technical evidence regarding the alleged electrical faults such as faulty cables, defective meters, malfunctioning switches, or tripped MCBs which could substantiate his claims. Accordingly, they urged this Authority to reject the complaint for want of merit.

D. Rejoinder filed by the Complainant

23. The Complainant respectfully submitted that prior to the unfortunate incident on 19.04.2024, he had repeatedly experienced persistent electrical issues in the subject flat, including frequent tripping of the Miniature Circuit Breakers (MCBs) and several nonfunctional power sockets. These issues were duly brought to the attention of the facility management team, and although temporary repairs were undertaken, the recurrence of electrical faults remained unresolved. The Complainant further submitted that other residents of the project had also faced similar electrical issues, which raises serious and credible concerns regarding the quality and safety of the electrical installations carried out in the project by the Respondents.

24. Following the incident, the Complainant submitted that he promptly lodged complaints with the concerned authorities, including the Police Department, Town Planning Department, and Fire Safety Department. Subsequently, an inspection was conducted by the Fire Safety Department, and a detailed report dated 30.04.2024 was submitted. The said report disclosed grave shortcomings in the fire safety installations of the project, such as the absence of an adequate number of fire extinguishers, hose reels, terrace tanks, and booster pumps. These are all mandatory components under Table 7, Part 4 of the National Building Code of India, 2016, and their absence is a clear violation of statutory safety norms.

25. The Complainant further submitted that while the Respondents had obtained initial building permission from GHMC on 11.12.2018, such permission was granted conditional upon the Respondents' compliance with all applicable fire safety norms. However, in light of the findings of the Fire Safety Department, it is evident that the Respondents failed to adhere to these essential conditions. Despite these serious violations, the Respondents managed to obtain an Occupancy Certificate, thereby raising serious concerns regarding procedural lapses and negligence on the part of the concerned statutory authorities. In this context, the Complainant filed a complaint before the Town Planning Department on 14.10.2024, seeking cancellation of the said Occupancy Certificate. Pursuant thereto, GHMC issued a letter dated 01.11.2024, wherein it acknowledged the existence of fire safety deficiencies and directed the Respondents to undertake immediate rectification by installing the required fire safety systems.

26. The Complainant further submitted that the Respondents, on their official website and promotional material, continue to falsely claim full compliance with the National Building Code of India, 2016, thereby wilfully misrepresenting the safety standards of the project and endangering the lives and property of its residents. It is submitted that had the Respondents ensured proper implementation of the prescribed fire safety measures, the damage and trauma caused to the Complainant and his family could have been significantly mitigated, if not altogether avoided.

27. With regard to the Respondents' contention that the Complainant lacks locus standi to approach the Authority due to the existence of a registered residents' association, the Complainant submitted that such an argument is wholly misconceived. It is submitted that the maintenance and management of the project has not yet been handed over to the said Association, and the same continues to remain under the control of the Respondents. Further, the Association itself has raised safety concerns in its General Body Meetings with respect to

electrical and fire safety measures within the premises. In any event, the Complainant, being the direct victim of the fire incident and having suffered loss and injury as a consequence thereof, possesses the independent right to seek redressal under the Real Estate (Regulation and Development) Act, 2016, irrespective of the existence of an Association.

E. I.A Filed by the Complainant

28. The Complainant respectfully submitted that certain crucial documents have been recently obtained after the matter was reserved for orders initially, and their consideration is essential to prevent grave injustice. The Complainant submitted that the documents clearly establish continuing negligence of the Respondents in addressing vital fire and electrical safety concerns. In light of their relevance and recent acquisition, the Complainant prayed for reopening of the matter, admission of the documents on record, and issuance of directions to the Respondents to rectify the deficiencies and bear appropriate costs for their negligent conduct.

F. Points for Consideration

29. Upon deliberation of the contentions of the parties as well as the documents filed therein, the following issues sprout for consideration:

- a. Whether the present Complaint maintainable before the Hon'ble Authority?
- b. Whether the Complainant entitled to the reliefs, prayed for?

G. Observation by the Authority

Point I

30. At the outset, the Authority deems it appropriate to address the preliminary issue raised by Respondent Nos. 1 to 4 regarding the maintainability of the present complaint. The Respondents have contended that since a registered association, namely, the VB City Flat Owner's Cooperative Maintenance Society Limited, is already in existence, any grievance pertaining to common areas, shared amenities, or infrastructure ought to be raised through such Association alone, and not by an individual allottee.

31. Upon careful consideration of the record and the nature of reliefs sought, the Authority finds that the grievance of the Complainant is twofold: first, certain relief pertains to the entire project, including the rectification of faulty electrical installations and the installation of fire-

fighting systems as per the National Building Code; and second, specific reliefs relate to his individual flat Flat No. F-513 including the restoration of damages caused due to the fire accident on 19.04.2024.

32. In general, matters involving the upkeep and rectification of shared infrastructure such as project-wide electrical systems or fire safety measures fall within the scope of collective interest, and therefore, a registered Association is considered the appropriate party to agitate such issues under the provisions of the Real Estate (Regulation and Development) Act, 2016.

33. However, the present complaint cannot be treated as a case involving generic infrastructure grievances alone. The Complainant has asserted that the failure to install adequate fire safety equipment directly contributed to the fire incident in his flat, causing significant damage to life and property. Notably, the fire accident occurred on 19.04.2024 and is not a speculative or hypothetical concern, but a real and serious event that resulted in actual harm. Following the said incident, the building was inspected by the Electrical and Vigilance Department of GHMC on 29.04.2024, with specific reference to the fire that occurred in the Complainant's unit. Pursuant to this inspection, a report was issued identifying serious deficiencies in fire safety installations, including the absence of fire extinguishers, hose reels, and terrace-level water storage and pumping infrastructure. These findings lend considerable weight to the Complainant's assertion that the existing fire safety measures were inadequate and potentially contributed to the scale of the incident.

34. In such circumstances, where a personal incident of such gravity is linked to broader safety lapses within the project, the Authority finds it legally tenable for an individual allottee to raise grievances even on issues that may otherwise be considered collective in nature. The fact that the Complainant has directly suffered harm due to the absence of fire safety mechanisms, and the further fact that the matter concerns ongoing risk to his own flat, distinguishes this case from ordinary complaints regarding common area maintenance or shared infrastructure. Accordingly, to the extent that the relief sought for the installation of fire-fighting equipment is grounded in personal injury and demonstrated deficiency, the same is considered maintainable at the instance of the Complainant.

35. As regards to the other project-wide relief sought by the Complainant namely, rectification of electrical installations in all flats of the project the Authority is of the considered

view that such relief travels beyond the personal domain of the Complainant and squarely pertains to the collective interest of allottees.

36. Accordingly, the complaint is held to be maintainable to the extent it concerns: (a) the specific damage caused to the Complainant's individual flat due to the fire accident; and (b) the prayer for installation of fire-fighting systems in the project, to the extent such systems directly impact the safety of the Complainant and arise out of the specific incident in question.

37. The objection raised by the Respondent No.1-4 regarding locus standi is therefore partly sustained and partly rejected. While the Complainant is not competent to seek reliefs that are collective in nature and affect all residents, he is fully competent to seek redress for deficiencies affecting his own unit and safety, particularly in light of the fire incident that has occurred and been independently verified. The complaint is thus held to be maintainable to the extent indicated herein.

Point II

38. Having addressed the preliminary issue of maintainability, the Authority shall now proceed to consider the reliefs sought by the Complainant. As per the complaint and subsequent pleadings, the reliefs may be broadly classified under the following heads:

- (i) installation of requisite fire-fighting systems; and*
- (ii) restoration of the Complainant's flat by repairing the damages, flooring, ceiling, changing electrical wiring, removal of accumulated soot and painting of the walls and other miscellaneous works like plumbing, etc. as well as the corridor area, including clearing of soot, internal repairs, and repainting.*

39. With regard to the first relief concerning fire safety systems, it is relevant to note that following the fire incident that occurred on 19.04.2024, an inspection was undertaken by the Electrical and Vigilance Department of GHMC on 29.04.2024. The inspection report, which has been placed on record by the Complainant, clearly outlines several deficiencies in fire safety installations in Tower-F, where the Complainant's flat is located. Specifically, as per Table 7 and the Remarks section of the said report, the following critical components were found missing:

- a. 27 fire extinguishers;
- b. 12 first aid hose reels;
- c. a 5000-litre terrace tank; and
- d. a booster pump of 450 LPM at the terrace level.

Even though the competent authority has noted that a Fire NOC is not required, as the subject building does not qualify as a high-rise structure under the applicable regulations, the inspection report highlights certain deficiencies which, though not mandatorily triggering the need for a Fire NOC, may still warrant immediate rectification, as they pertain directly to the life and safety of the residents and cannot be disregarded merely on technical grounds.

40. In view of the above findings, the Authority directs Respondent Nos. 1 to 4 to strictly comply with the recommendations contained in Table 7 and the Remarks portion of the GHMC inspection report dated 29.04.2024. Such compliance is essential in the interest of ensuring occupant safety and adherence to regulatory obligations. The Respondents are accordingly directed to take immediate steps for the installation of the above-mentioned fire safety equipments, as per the inspection findings.

41. Having addressed the issue of fire safety infrastructure, the Authority now proceeds to consider the Complainant's second substantive relief, namely, the restoration of his individual flat, including repairs to the damaged flooring and ceiling, which were allegedly affected by the fire incident. This relief arises from the same factual matrix as the fire safety issue and has been evaluated in light of the inspection report dated 29.04.2024 issued by the Electrical and Vigilance Department, GHMC.

42. While the report notes significant deficiencies in the fire safety infrastructure of the building, it does not provide any observation or finding as to the actual cause of the fire incident that occurred in the Complainant's flat. The report remains silent on whether the fire was triggered due to any electrical fault, construction defect, or act or omission on the part of the Respondents.

43. In the absence of any indication in the inspection report attributing the fire incident to the conduct of the Respondents, the Authority is of the considered view that it would not be appropriate to hold the Respondents liable for the damage caused to the Complainant's flat, additionally when the subject flat is a second purchase. In the absence of any factual or

evidentiary basis linking the fire incident to a specific deficiency or act of negligence on the part of the Respondents, this Authority finds no ground to issue any direction for restoration of the flat or for undertaking repair works which includes replacement of the damaged flooring and ceiling. Accordingly, the prayer for restoration of the damaged flat, including repairs to internal structures, flooring, ceiling stands rejected.

44. It is also pertinent to mention that, with regard to the restoration of the common corridor by clearing the soot the Respondents have submitted that the said work has already been completed. Further, the Complainant, during the proceedings acknowledged the same. Hence, no further directions are warranted on this aspect.

45. The Authority shall now turn to the remaining components of the Complainant's prayer, which relates to the internal restoration work within the subject flat including painting, plumbing, replacement of electrical wiring, and similar fittings. This Authority as observed in earlier paragraphs, holds that the Complainant failed to produce any substantive documents or credible report attributing the fault of the Respondents. In such absence of proper and cogent evidence this Authority can't fasten or impose liability over the Respondents. Especially, when there is no clarity as to how the unfortunate act has taken place. It is not fair or just to make Respondents responsible without establishing the precise cause or fault leading to such occurrence. The burden of proof lies squarely upon the Complainant to demonstrate the alleged default on the part of the Respondent, if the Complainant wants him solely to rectify. Therefore, as he failed to do so, this Authority can't grant such relief.

H. Direction by the Authority

46. In light of the above discussion, the Authority vide its powers under Section 37 and 38, issues the following direction:

- I. Respondent Nos. 1 to 4 are directed to strictly comply with the recommendations contained in Table 7 of the inspection report issued by the EV & DM Department, GHMC, which identifies the following critical deficiencies in Tower-F:
 - a. Absence of 27 fire extinguishers;
 - b. Absence of 12 first aid hose reels;
 - c. Absence of a 5000-litre terrace tank; and
 - d. Absence of a booster pump of 450 LPM at the terrace level; within a period of 30(thirty) days from the date of this Order.

- II. Further, Respondent Nos. 1 to 4 shall also comply with all other observations and recommendations set out in the said inspection report issued by the competent authority, in the interest of ensuring fire safety and compliance with applicable norms. Such compliance shall likewise be effected within a period of thirty (30) days from the date of this Order.
- III. In addition, the parties are directed to ensure that fire safety systems are periodically inspected by competent authority, so as to prevent the recurrence of any hazardous conditions or accidents in future.
47. In light of the above direction, the present complaint is disposed of. No order as to costs.

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

Sd/-
Sri Laxmi Narayana Jannu,
Hon'ble Member,
TG RERA

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

