

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

I.A.No. 59 of 2024
In
COMPLAINT NO.189 OF 2024

I.A.No. 60 of 2024
In
COMPLAINT NO.195 OF 2024

I.A.No. 61 of 2024
In
COMPLAINT NO.196 OF 2024

Dated 11th November 2024

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

Between:

Beccan Lifestyle Cultural Association ...Complainant

Versus

M/s Beccan Infrastructures Ltd.

...Respondent

The present Interim Applications, filed by the complainant, came up for hearing before this Authority on 06.11.2024, in the presence of the Counsel for the Complainant Sri G. Sumanth Kumar, the Counsel for the Respondent Sri B. Radha Krishna Yadav. Upon hearing the arguments presented by the respective Counsel, this Authority in the exercise of the powers conferred under Section 36 of the Real Estate (Regulation and Development) Act, 2016 hereby passes the following **INTERIM ORDER:**

A. Brief Facts on behalf of the Complainant:

2. This matter arises out of a batch of complaints filed under Case Nos. 189/2024/TGRERA, 195/2024/TGRERA and 196/2024/TGRERA by the

complainant association. The core issue pertains to unauthorized construction and delay in project completion of the project titled “Beccun Life Style” situated at Kompally – Tanda, Dundigal Gandimaisamma, Medchal-Malkajgiri within the territorial jurisdiction of Hyderabad Metropolitan Development Authority.

3. The complainant association submitted that, as per the project brochure and permissions granted, the Respondent No.1 was authorized to construct and sell only four blocks up to seven floors in each block. However, the respondent proceeded to sell units up to the ninth floor and added two additional blocks without obtaining the necessary permissions. From 2019 to 2021, more than 200 members purchased flats based on the respondent’s assurance to complete the project within two years. Despite the passage of five years, construction has not commenced on A Block, A Extension Block, D Block, and E Block.

4. The complainant association further allege that the respondent currently lacks funds to complete the project, raising concerns about the misuse and unaccounted transfer of the collected funds. While Blocks B and C were constructed up to seven floors two years ago, no further construction has been undertaken, and the complainant association has not received any adequate explanation for the delays. Numerous reminders and meetings with the builder’s management have not resulted in any meaningful action, leading to a continuous deterioration in the project’s condition.

Accordingly, the Complainant Association prayed for interim directions as **follows:**

- a. *Direct the promoters and co-promoters to cease further sales of units until the current allotments are finalized and secured, particularly for units on the 8th and 9th floors of the various blocks and direct the promoters and co-promoters to refrain from alienating or creating any additional encumbrances, or entering into further agreements, until all current allotments and units are finalized and secured, particularly those on the 8th and 9th floors and within unconstructed block buildings*

- b. *Direct the Sub Registrar Officer, Medchal (1504) not to register further encumbrances until further orders from the RERA Authority and,*
- c. *To declare the cancellation notices and forfeiture of amounts by the promoters are illegal and arbitrary and set aside and allow the complainants to visit the construction project to know the progress of the work in transparent manner and*
- d. *Direct the Promoters to open a bank account specifically to this project with an oversight of RERA and designated member so the Association of the Allottees only to ensure that the funds contributed by the allottees are used exclusively for this project and not siphoned elsewhere*
- e. *may pass other order or orders that the applicants/defendants are entitled to in the interest of justice or else I will suffer irreparable loss in the interest of justice.*

B. OBSERVATION BY THE AUTHORITY:

5. Prima facie, upon review of the complaint, supporting documents, and the contentions raised by the complainant association as well as by the interim application which has been filed on 6.11.2024 by the complainant association, the immediate question that arises for consideration before this Hon'ble Authority is:

A. Whether an interim order should be granted to restrain the respondents from creating any third-party interest in the disputed flats?

6. The counsel for the complainant association has expressly requested an interim order, citing substantial allegations against the respondents, including unauthorized construction, significant delays in project completion, and attempts to reregister the same flats to new buyers. If allowed to continue, these actions could severely compromise the rights and investments of the complainant association's allottees, causing them irreparable harm.

7. The respondents have requested additional time to file their counter but have not provided any substantial justification against issuing an interim order at this stage. Given the urgency and potential for further prejudice to

the complainant association, the Authority's immediate intervention is necessary.

8. After careful consideration of the submissions made and materials placed before the Authority, it is evident that the complainant association has established a prima facie case warranting immediate intervention. The allegations of unauthorized construction and the respondents' attempts to re-register the same flats to new buyers pose a significant risk to the complainants' rights and investments.

10. The balance of convenience favours the complainant association, as allowing the respondents to create third-party interests could lead to complex legal disputes and further delay the resolution of the matter. Moreover, the potential harm to the allottees of the complainant association is irreparable, as it involves their substantial financial investments and rightful possession of the flats.

11. In the interest of justice and to prevent any further prejudice to the complainants, the Authority hereby **orders as follows:**

- a. The respondents are restrained from creating any third-party interest or undertaking any transaction that may alter the complainants' rights concerning the following flats which are in question until further orders are passed by this Authority.

S. No.	Flat no.	Owner Name
1.	A- 106	Vullenga Srinivas Rao
2.	A- 308	Harinath Vandanapu
3.	A- 612	Mamidala Ramshirish
4.	A- 814	Vanam Naveen Kumar
5.	A- 907	M Laxmi Pallavi
6.	B- G107	Muneer Pasha Syed
7.	B- 101	Kalapu Govardhanam
8.	B- 102	Gaddam Sandeep Reddy

9.	B- 802	Hari Babu Anantha
10.	B- 805	Kankanala Srinivas Reddy
11.	C- 101	B. Lalith Kumar
12.	C- 608	M Vijaya Lakshmi
13.	C- 708	Kasira Lavanya
14.	C- 804	Benjaram Venkat Reddy
15.	D- 103	Gamidi Subhashini
16.	D- 304	Paladhi Dinesh Kumar
17.	D- 501	Linga Reddy Rajesh Reddy
18.	D- 602	Vinod Kumar
19.	D-704	K Govardhanam
20.	E- 402	Indrakaran Reddy
21.	E- 502	Godugu V Satyanarayana
22.	E- 604	Arun Kumar Kandukuri
23.	E- 703	Kotari Laxmi
24.	E- 710	Korru Sireesha
25.	E- 804	Deepak Adepu
26.	E- 910	Kandula Ratnakumari
27.	E-301	M S Ramesh
28.	A-615	R Lavanya
29.	B-508	J Ramu
30.	E-603	K Sai Naresh
31.	A-707	A Aravind Kumar
32.	A-405	S Vandana
33.	A-205	Nirmala Devi
34.	B-807	P Jaipal Reddy
35.	C-102	B Bharath
36.	A-506	Saidheeraj K
37.	E-303	YTS Kishore
38.	A-407	Sharath
39.	B-704	K Kiran Kumar
40.	A-307	V Harinath

41.	B-601	Akhil
42.	B-608	Rajkalyan
43.	B-105	Sangeetha Thakur
44.	B-502	Jai Kishan Rao
45.	E-203	Satish Mettu
46.	E-507	P Niranjani
47.	E-607	V Sravan Kumar
48.	C-701	O Ramesh Reddy
49.	C-505	C Manjula Vani
50.	A-608	P Saya Goud
51.	B-308	U Bhaskar Rao
52.	B-405	L Naveen Kumar
53.	A-108	Y Srikanth
54.	A-613	Charan Singh
55.	A-107	Sandeep Reddy
56.	A-708	M Sunil Kumar
57.	A-614	Narender
58.	B-701	Kamesh Rao
59.	B-506	Sagar
60.	C-306	N Siddaiah
61.	C-604	Ramya
62.	C-405	Rajasri Sarkar
63.	C-606	Vikrant
64.	C-106	Prasanna Kumar
65.	E-404	Naveen Addala
66.	E-101	A Bhargavi
67.	E-401	Sandeep Vanam
68.	E-601	Chandra Sekhar
69.	E-106	Anusuya/Sravan
70.	B-302	Manisha Regonda
71.	A-914	Rajagangaram P
72.	B-304	A Shanthi

73.	E-306	Narendra Macha
74.	D-601	Jilla Trilochan
75.	A-906	SN Siddhi
76.	B-504	Sridhar
77.	B-904	Sreelatha Yedla
78.	A-207	Shashikant

- b. Failure to comply with this interim order shall invite appropriate legal action, including contempt proceedings, as per the provisions of the RERA Act 2016.
- c. This interim order shall remain in force until the final disposal of the main complaints.
- d. The respondent is directed to file the counter, with a copy served to the complainants' counsel.
12. The additional interim reliefs sought by the complainant association, as outlined in their application, will be considered at a later stage during the ongoing proceedings after the respondent files the counter.
13. Post this application on 14.11.2024 for the counter of Respondent for hearing.

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