

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

24th April 2024

Corum: Dr. N. Satyanarayana, IAS (Retd.), Hon'ble Chairperson
Sri LaxmiNarayanaJannu, Hon'ble Member
Sri K. SrinivasaRao, Hon'ble Member

COMPLAINT NO.1269 OF 2023

Between

Sri Abhishek Singh Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd. Respondent

COMPLAINT NO.1040 OF 2023

Between

Sri BandiNarsaiah Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd. Respondent

COMPLAINT NO.1039 OF 2023

Between

Sri Avulu Raghunath Chowdary Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd. Respondent

COMPLAINT NO.1042 OF 2023

Between

Sri MalaReddy Sowmya Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd. Respondent

COMPLAINT NO.1269 OF 2023

Between

Sri GurramRamahesh

Sri VangitiShireesha

Sri ChamanthuluSrinivasalu

RamuluGoli

ChelluboniaBhimeshwara Swamy

Chellubonia Meghana

Uduthu Uma Devi

Satish Desisreddi

Thota Vinay Babu

.... Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd.

.... Respondent

COMPLAINT NO.1034 OF 2023

Between

Sri RamuluGoli

PulluruHarinath

Tumala Lavanya

BandiNageshwara Rao

.... Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd.

.... Respondent

COMPLAINT NO.1046 OF 2023

Between

Sri P Harinath

.... Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd.

.... Respondent

COMPLAINT NO.1045 OF 2023

Between

SriAlwala Srikanth

.... Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd.

.... Respondent

COMPLAINT NO.1029 OF 2023

Between

Sri Vanteru Anil Kumar

.... Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd. Respondent

COMPLAINT NO.1032 OF 2023

Between

Sri CH.S.R.K.Murthy Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd. Respondent

COMPLAINT NO.1044 OF 2023

Between

Sri S Srinivas Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd. Respondent

COMPLAINT NO.1043 OF 2023

Between

Sri Gope Ramesh Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd. Respondent

COMPLAINT NO.15/A OF 2023

Between

JP Welfare Association Complainant

AND

M/s Jayathri Infrastructures India Pvt Ltd. Respondent

TSRERA PROJECT REGISTRATION NO: P02200003688

COMMON ORDER

These complaints have come up for hearing on 01.12.2023, 01.02.2024 and 15.02.2024, in the presence of Sri Niranjana Reddy advocate, Sri Anil Kumar, president and Sri Sirigidi Srinivas Rao, Vice President of the Association for complainants and Sri Rambika, advocate for the Respondent, and having stood over the consideration till this day the Authority passes the following Interim Common Order:

2. These complaints have 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.

3. The case of the complainants in all the complaints is on similar grounds. Similarly, the stand taken by the Respondent in their counters is also the same. As such a common interim order is passed in all complaints.

4. The complainants were directed by the Authority to form an association of allottees. Consequently, the association was formed and registered. For the sake of convenience and to avoid repetitions, the pleadings from the complaint no.15A/2023 is referred below.

A. Brief facts and submissions of the complainant association are as follows:

- i. The complainants herein have registered their association and are a Society within the meaning of section 2(zg) of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the RE(R&D) Act), and the Respondent is the Promoter/Developer within the meaning of Section 2(zk) of the RE(R&D) Act. The Respondent is registered as the promoter of the Project namely “Jaya Platinum” under section 5 of the RE(R&D) Act bearing Project Registration no: P02200004769 (hereinafter referred to as the “said project”). The said project is a residential project wherein the development rights of the said project are of the Respondent.
- ii. The complainants are the allottees with a common interest in the project, namely Jaya Platinum located at Survey no. 461 part of Bowrampet Village, Dundigal Municipality Mandal, Medchal – Malkajgiri District, covering 2731.78 sq. yards, Hyderabad, Telangana. This project was undertaken by M/s Jayathri Infrastructures India Pvt. Ltd. The present office address is Plot no. 1005, opposite Eminent Plaza Building, 4th floor, Jaya’s unique building, Kukatpally, Hyderabad – 500072. The parcel of land is under the ownership of M/s Jayathri Infrastructures India Private Limited, as per sale deed no. 12502 of 2022, dated 25.04.2022.

- iii. This is a project with a sanctioned plan approved by the local authority, HMDA, on 20.03.2021, and approved by the local body on 01.11.2021. The project was required to be developed into residential apartments totaling 60 flats/units, as per the sanctioned plan vide 043524/MED/R1/HMDA/25022021, with a built-up area of 5865.75.
- iv. On TS RERA Project registration webpage, the proposed completion date of the said project is mentioned as 20.03.2021 as approved by the Competent Authority, however, the RERA registration is valid up to 14.10.2024.
- v. The allottees of the said project, in their capacity, have filed these complaints before the Authority. According to the complaints, there has been no progress in the project and has been stalled since June 2022. The overall project progress, as reported by the Allottees, is approximately 50%, limited to skeleton structure, brickwork, internal and external plastering.
- vi. The Allottees assert that the Respondent has sold around 51 units out of 60 units. The Respondents have registered 49 units in the name of buyers. For the remaining 2 allottees, the Respondent has entered into an Agreement of sale. Further submitted to this Authority that out of 60 flats, 9 flats have been mortgaged to HMDA.
- vii. Furthermore, it is stated that from July 2022 to the present date, the Respondent has not undertaken any progress in the construction of the said project. The Respondent has been providing different completion and possession dates to the allottees, ranging from June 2022- June 2023. This delay has caused significant hardships to the allottees and their families.
- viii. As per the Agreement of Sale executed by the Respondent with the allottees, clause 5 of the Agreement of sale provided by the Respondent states that the Developer shall abide by the time schedule for completing the project as disclosed at the time of registration of the project with the Authority. The time prescribed in the Form B dated 10.11.2023 for the completion of the project to this Authority at the time of registration was of 3 years.

- ix. However, the Respondent has defaulted on duties, obligations, and conditions applicable to a registered project, particularly in achieving the requisite progress within the stipulated time.

B. The complainants are seeking the following relief:

- i. To direct the respondent to complete the project and hand over possession of the flats/units to the allottees.
- ii. On 27.12.2023, the complainant prayed to this Authority that the Registration Certificate bearing No.P02200003688 issued in the name of and/or in favour of the Respondent for the development of the project on the said property be revoked and/or cancelled forthwith and hand over the project to the Association under section 8 of the RE(R&D) Act for the completion of the project.
- iii. Or such other and further reliefs as this Authority deems fit and proper in the facts and circumstances of the present case.

C. Brief submissions of the Respondent are as follows:

- a. The respondent submitted that he has entered into a contract agreement with M/s Naga Durga Enterprises, represented by its Proprietor, Smt. K Naga Durga. He has given the present position of the project, almost done by the contractor, for the slabs work, brickwork, pasting work in all the floors, except plastic work and plumbing, sanitary work, electric works up to the handover stage of the flats. The contractor has completed the work up to the above stage without any delay, and the respondent has paid up to 85% of the amount to the contractor as per the agreement. The respondent has raised delay concerns with the contractor, but the contractor has been avoiding the respondent for a year.
- b. The respondent is planning to sell a few of the vacant flats in the concerned project and pay the remaining balance amount to the contractor for completing the pending work without any further delay. The respondent requested this Authority to approve the above process and give permission to him to proceed further with the above-mentioned plan.

D. Hearing Conducted:

6. This matter was heard on 01.11.2023, during the hearing, the respondent admitted to the delay in completing the project and asserted that his company is facing financial crises, hence causing a delay in project completion. In contrast, the complainants reiterated the contentions made in their complaints.

7. Furthermore, the respondent was directed to file a reply to the contentions made by the complainants. Additionally, the respondent was instructed to submit a plan of action within a period of one month for the completion of the project. As the allottees were not registered as an association, the complainants were directed to register the association

(a) Assessment of the Project by an Independent Agency

8. Meanwhile,, in accordance with the provisions of Section 35 of the Real Estate (Regulation and Development) Act, 2016, the Authority directed the Engineering Staff College of India (ESCI) to inspect the project under construction "Jaya Platinum.

9. Following the Authority's directions, ESCI submitted an inspection report (ESCI/PD/TPQC/TSRERA/06/2023-24) dated December 1, 2023, on the project. According to the report, the housing project is a multi-storeyed building (1 Stilt + 5 Upper floors) spread over an area of 3267.0 Sq.Yds. in Survey Number 461/P, situated at Bowrampet village, Dundigal-GandiMaisammaMandal, under Dundigal Municipality, Medchal--Malkajgiri District. The building permission was obtained by the previous owner vide Building Technical approval no.043524/MED/R1/U6/HMDA/25022021, dated March 20, 2021, and the same is approved by the local body vide Permit no.G1/DM/3810/BP/2021 & File no.3810, dated November 1, 2021.

10. As a result of appraisal and analysis, it is of the opinion that the present stage of construction work assessed is 66% of the total work, and there are balance works to an extent of 34% to be completed.

11. As on the date of inspection, there is no progress of work, and it is informed by the complainants that the work has been stopped since June 2022. After evaluation and analyzing, the balance work may take 12 more months from the date of commencing with uninterrupted cash flows.

According to the report, the total estimated cost is Rs. 7.50 crores. However, as per the engineer certificate issued, the total estimated cost incurred till April 1, 2022, is estimated at Rs. 11,69,73,600/-.

12. Meanwhile, the complainants submitted a counter-reply to the reply filed by the respondent dated December 27, 2023, requesting this Authority to allow them to take over the project.

(b) Assessment of Promoters Credibility

13. Considering M/s Jayathri Infrastructures Private Limited, the promoter for various projects namely, "Jaya Platinum, Jaya Gold, Jaya Diamond, Jaya Hilton, Western Galaxy, Western Weaves, and Lexico Kondapur," has failed to adhere to the provisions of the Real Estate (Regulation and Development) Act (hereinafter referred to as "the Act"), resulting in over 100 complaints lodged against them before this Authority. Allegations raised by the allottees of different projects, alongside inspection reports, indicate that M/s Jayathri Infrastructure is engaged in activities such as marketing or selling projects without proper registration under Section 3 of the Act, collecting advances exceeding 10% without executing a valid agreement of sale as mandated by Section 13, neglecting to furnish quarterly reports of the registered project in violation of Section 11, and failing to fulfill all obligations, responsibilities, and functions prescribed under the Act as per Section 11(4). Furthermore, the promoter has advertised and collected advances/deposits without possessing any legal title or rights over the projects, contravening Section 12.

14. Throughout these proceedings, M/s Jayathri Infrastructures has consistently failed to provide satisfactory explanations for the delays and financial irregularities surrounding the project. Despite assurances of progress, inspections by the Engineering Staff College of India have revealed significant stagnation in construction since June 2022, with only 66% of the work completed and mismanagement of funds evident. This Authority has also imposed penalty on M/s Jayathri Infrastructures for indulging in marketing and advertising in violation of the section 3 of the RE(R&D) Act, 2016.

15. Considering the aforementioned contraventions of the provisions by M/s Jayathri Infrastructure, and acknowledging that not only project "Jaya Platinum" but also other projects such as Jaya Diamond or Jaya Hilton have been stalled by the Respondent since July 2022, misleading the Complainants with various promises, it is evident that the Promoter has been afforded ample opportunities by this Authority for the completion of the project. However, the promoter has failed to even initiate the pending construction work since the filing of complaints. Additionally, considering the fact that the Promoter was incarcerated and there was no genuine attempt to complete the Project within the stipulated timeframe, and due to the inconsistency in the completion dates provided in their responses, it is doubtful that the Promoter will adhere to their commitments, thereby solidifying doubts regarding their intentions to complete the concerned project.

16. Hence, the Authority is inclined to consider the prayer made by the association of allottees, as it appears that the Respondent may lack the capability to carry out the development and complete the concerned project.

(c) Action for Revocation of RERA registration under section 7

17. Consequently, the Authority vide letter no: 1029/TSRERA/2023, Dt:11.01.2024, issued show cause notice to the Respondent u/s 7(1) and (2) of the Real Estate (Regulation and Development) Act,2016 as under Revocation of RERA registration for the project "Jaya Platinum" and to submit explanation in writing as to why the Registration should not be revoked:

"2 WHEREAS after hearing the Association, consisting of 34 members, and the respondent on 01.11.2023 and in subsequent meetings, the Telangana State Real Estate Regulatory Authority is prima facie of the view that there appears to be force in the allegations by the allottees that the Respondent M/s. Jayathri Infrastructure Pvt. L.td., has violated the provisions of the Real Estate (Regulation and Development) Act, 2016 and Rules framed thereunder by committing the following violations/omissions:

i) Failed to clarify the reasons for the inordinate delay in completing the project and the acute financial crisis faced by the Company;

i) Failed to explain the discrepancies in the estimated project cost and the funds Utilized, as per the Engineer Certificate issued

iii) Failed to submit any documentary evidence to secure funds for project completion despite previous commitments and a two-month grace period granted by the Authority;

iv) Failed to provide any substantial response to Complete the project during the hearing and failed to provide any evidence to substantiate the claim made complete the project.

v) Misled the Authority and allottees making varying promises regarding possession and completion dates, which amounts to unfair practices.

vi) Failed to secure funds to complete the project and also failed to update quarterly reports on TS RERA Website violating Sections 11, 13 and other provisions of Real Estate (Regulation and Development) Act, 2016.

vii) Violated the provisions of the Act and Rules by accepting sums exceeding ten per cent without an Agreement of Sale and causing discrepancies in the Agreement of Sale, which affect the interest of allottees/home buyers in the project.

viii) Failed to submit the progress report of other projects until now, even after repetitive directions by the Authority.

3. An inspection of the construction project "Jaya Platinum" was directed by the Authority, resulting in a report submitted by the Engineering Staff College of India (ESCI) on 01.12.2023. The inspection report revealed that the project is at a standstill since June, 2022, with only 66% of the total work completed. The estimated cost incurred exceeds the projected cost, indicating mismanagement of funds, seriously affecting interest of all ottees/home buyers of the project.

4 M/s. Jayathri Infrastructure Pvt.Ltd., is also involved in multiple projects namely: 1. Jaya Diamond (RERA Regn.: P02200004769), 2, Jaya Gold (not RERA registered), 3. Western Galaxy (not RERA registered), 4. Jaya Hilton (not RERA registered) 5. Western Weaves (not RERA registered), 6. Kondapur Central Luxcus (not RERA registered) facing similar issues, raising concerns about the Company's capability to fulfil its obligations thereby seriously affecting the interests of the allottees/home buyers of the projects in particular and in the public interest.

5. In the light of said serious defaults, the TS RERA Authority, under Section 7 (2) of Real Estate (Regulation and Development) Act, 2016, decided to issue notice to you to bring to your notice the violations committed and to enable you to submit explanation to consider revocation of registration for the project "Jaya Platinum", bearing registration No.P02200003688.”

18. Respondent has submitted a reply to the show cause notice, dated 15.02.2024, stating the following reasons as to why this Authority should not revoke RERA registration:

- On the time of construction some few mistakes are thrown on the work place, my client has paid almost 8.50 crore rupees to existing contractor and also allotted to one of the flat in this project in his name. but he is not interested to construct the building, as my client also tried to replace another contractor but its created violence at the work place.
- Most of the amount utilized to acquisition of land (approx. 15.5 crore) along with advances and other expenditure at work, there is no misleading of funds. My client followed the legal terminology and maintained the accounts flow.

- *My client requests to concerned authority to cancel the show cause notice the TS RERA under section 7 (2) of Real Estate (Regulation and Development) Act, 2016, and give the alternative method to resolve the issue of the flat owners, allottees, agreement holders.*
 - i. *My client shall raise the funds to complete the construction of the project without delay with coordinating with platinum association of the project and with your guidance and principles. If, my client interest to change the contractor, it will be with Jaya platinum association consent through your valuable guidance.*
 - ii. *IN this project some few flats are unsold to third party; my client shall sell such the flats to generate the consideration to transfer the existing RERA accounts with your permission. And my client will be raised the funds through his other properties. My client will be complete the project with in time period of RERA REGISTRATION ID time on or before 14th October 2024.*
 - iii. *We request to cancel the show cause notice against my client to give the alternative option to settle the issues for allottees instead of revocation of registration of the project.”*

19. On 06.03.2024, the complainants were heard, whereas no one appeared on behalf of the Respondent. The complainants reiterated that they are still requesting the Authority to hand over the project to the Association by canceling the RERA registration of the said project.

E. Observations by the Authority:

20. The issue that needs to be considered is **Whether a case is made out for taking action under section 7 of the RE(R&D) Act?** In this context, it would be necessary to refer section 7 of the said Act, which reads under:

“7. (1) The Authority may, on receipt of a complaint or suo motu in this behalf or on the recommendation of the competent authority, revoke the registration granted under section 5, after being satisfied that—

(a) the promoter makes default in doing anything required by or under this Act or the rules or the regulations made thereunder;

(b) the promoter violates any of the terms or conditions of the approval given by the competent authority;

(c) the promoter is involved in any kind of unfair practice or irregularities. Explanation.—For the purposes of this clause, the term "unfair practice means" a practice which, for the purpose of promoting the sale or development of any real estate project adopts any unfair method or unfair or deceptive practice including any of the following practices, namely:—

(A) the practice of making any statement, whether in writing or by visible representation which,—

(i) falsely represents that the services are of a particular standard or grade;

(ii) represents that the promoter has approval or affiliation which such promoter does not have;

(iii) makes a false or misleading representation concerning the services;

(B) the promoter permits the publication of any advertisement or prospectus whether in any newspaper or otherwise of services that are not intended to be offered;

(d) the promoter indulges in any fraudulent practices.

(2) The registration granted to the promoter under section 5 shall not be revoked unless the Authority has given to the promoter not less than thirty days notice, in writing, stating the grounds on which it is proposed to revoke the registration, and has considered any cause shown by the promoter within the period of that notice against the proposed revocation.

(3) The Authority may, instead of revoking the registration under sub-section (1), permit it to remain in force subject to such further terms and conditions as it thinks fit to impose in the interest of the allottees, and any such terms and conditions so imposed shall be binding upon the promoter.

(4) The Authority, upon the revocation of the registration,—

(a) shall debar the promoter from accessing its website in relation to that project and specify his name in the list of defaulters and display his photograph on its website and also inform the other Real Estate Regulatory Authority in other States and Union territories about such revocation or registration;

(b) shall facilitate the remaining development works to be carried out in accordance with the provisions of section 8;

c) shall direct the bank holding the project back account, specified under subclause (D) of clause (I) of sub-section (2) of section 4, to freeze the account, and thereafter take such further necessary actions, including consequent de-freezing of the said account, towards facilitating the remaining development works in accordance with the provisions of section 8;

(d) may, to protect the interest of allottees or in the public interest, issue such directions as it may deem necessary.”

21. From the plain reading of the above section, it is clear that this Authority may, on receipt of a complaint, revoke the registration granted under section 5, only after being satisfied that the essential ingredients of revocation are: (a) the promoter (Respondent herein) makes a default in doing anything required by or under this Act or the rules or the regulations made thereunder; (b) the Promoter (Respondent herein) violates any of the terms or conditions of the approval given by the competent authority; (c) the Promoter (Respondent herein) is involved in any kind of unfair practices or irregularities; (d) the Promoter (Respondent herein) indulges in any fraudulent practices, and in case the project has lapsed, then the Authority may consult

the appropriate Government to take such action including the carrying out of remaining development works by the competent authority or by the Association of Allottees or in any other manner. As per section 7(3) of the RE(R&D) Act, the Authority also has the power instead of revoking may keep the registration to remain in force subject to terms and conditions.

22. Further, it is also pertinent to note that the scheme of the Act is to safeguard the interest of an Allottee against the Promoter and at the same time, RE(R&D) Act also bestows upon the Authority the responsibility to safeguard the Promoter against unreasonable demands of the allottees and ultimately ensures the completion of the project in a time-bound manner.

23. The Authority notes that the Respondent has made varying promises regarding the handover of possession to the allottees, ranging from the year 2022-2023. Despite previous claims of arranging funds during earlier hearings, the Respondent's company has been unable to secure funds, as per the reply and submissions presented to this Authority. Despite granting the Respondent a two-month period to submit a valid plan of action for the completion of the project, the Respondent has failed to provide any satisfactory reply to the Authority.

24. During the proceedings, the Authority made efforts to direct both parties to conduct meetings and resolve issues. On November 8, 2023, the respondent/promoter informed the Authority that they are unable to secure funds for the project's completion at present.

25. As per RERA registration, the Promoter is obligated to complete the project by October 2024. However, in the sale deeds, agreements of sale, and MOUs entered with allottees, the Promoter has committed to hand over possession by June 2023. It is noted that the Promoter has failed to complete even more than 60% of the project since January 2023. The Authority, considering the totality of facts and circumstances, and the Promoter's failure to comply with the provisions of the Act, has assessed the defaults attributable to the Promoter, including the non-initiation of pending construction work since January 2023, non-completion of work as per Agreements of Sale, Sale Deed, or MOUs, failure to achieve progress as

promised, and unsatisfactory submissions regarding the utilization of amounts collected from allottees. Given these defaults and the hardships faced by the allottees, the Authority concludes that the claims of the respondent to complete the project themselves are unfounded. Therefore, the Authority is unable to accept the respondent's argument that they have the capability to complete the project.

26. Further, the Authority notes that the complainant association is primarily seeking revocation of the said project together with a direction to complete the construction of the Project either by them or by appointment of a new Developer.

27. In light of the defaults attributable to the Respondent and in consideration of the provisions delineated in section 7 of the Real Estate (Regulation and Development) Act (hereinafter referred to as the "RE(R&D) Act), the Authority has no hesitation to conclude that the promoter persistently failed to fulfil the obligations mandated by the RE(R&D) Act. Prior to proceeding further, it is imperative to acknowledge that the act of revoking registration carries significant ramifications. It is owing to this criticality that the aforementioned Act has meticulously outlined specific grounds and circumstances under which the Authority is empowered to wield such prerogative.

28. It is pertinent to note that all projects of M/s Jayathri Infrastructure, totalling seven, are currently under adjudication by this Authority. More than 100 complaints have been registered before this Authority regarding these projects. Considering the repeated violations of the Real Estate (Regulation and Development) Act (RE(R&D) Act) by Jayathri Infrastructure across all of its projects, wherein M/s Jayathri has marketed/sold units/plots without obtaining RERA registration, entered into agreements without possessing proper legal title over the land or project, and mismanaged the funds collected by the Allottees.

29. In the present case, it is evident that the Respondent has unequivocally defaulted in meeting the stipulated timelines for the completion of the Project, commitments made both to the allottees and this Authority during the

procurement of the Project RERA registration. Additionally, it is noted that the Respondent has neglected to provide adequate elucidation, offering vague justifications for the project's delayed completion and the financial hardships purportedly encountered by their company, as well as the mismanagement of funds as depicted in the Inspection Report submitted by ESCI. Furthermore, the Respondent has failed to uphold their obligation to update the Quarterly Project Report on the TSREERA website, thereby contravening section 11 of the RE(R&D) Act. Moreover, the act of collecting advances from the allottees exceeding 10% prior to entering into a sale agreement violates section 13 of the RE (R&D) Act.

30. In light of the recurring violations of the RE(R&D) Act, this Authority is contented with the determination that the Respondent has failed to fulfill their obligations as delineated in section 7 of the RE(R&D) Act.

31. In light of the letter dated 18.03.2024 submitted by the complainant, wherein more than 90% of the allottees have consented to complete the project through the association, and a proposal has been proffered by the Association, the Authority deems it necessary to acquire a more comprehensive understanding of the Complainant Association's intentions regarding the completion of the project and their proposed engagement with the allottees subsequent to the revocation. The association is required to furnish a detailed plan outlining the appointment of credible and competent entities or individuals, and as of yet, the Authority has not received a financial credibility report. In these circumstances, the balance of convenience leans towards suspending the registration granted by the Authority under section 7(3) of the RE(R&D) Act..

32. The complainant's association, in consensus with the majority of the allottees, shall submit a project completion plan along with a financial credibility report.

33. In the interim, the complainant association is instructed to furnish the aforementioned report for the completion of the remaining development and construction work of the project.

F. Directions of the Authority:

30. In light of the aforementioned observations, this Hon'ble Authority hereby issues the following Interim orders and directives pursuant to Section 36 of the RE(R&D) Act:

1. The Project "Jaya Platinum" with registration number P02200003688 is hereby placed in abeyance. The Respondent is directed to cease all advertising, marketing, booking, selling, or offering for sale, and inviting persons to purchase in any manner any apartment in the said project until further notice, in order to safeguard the interests of the allottees and in the public interest.
2. The JP Welfare Association is instructed to submit a roadmap for the completion of the project within 30 days of this Order, along with a general body resolution of the Association of Allottees, providing explicit consent to the construction work of the Project.
3. The Secretary, TS RERA, is directed to take appropriate steps regarding suspension of the aforementioned project's RERA registration number. The Secretary TS RERA is further directed to block access to the said project's RERA registration number, review all returns filed to date, ensure their safe custody, and freeze the designated bank account of the said project. Additionally, the operative part of this Order shall be prominently displayed on the website associated with the said project's Registration number.
4. The Interim order shall remain in force until the issuance of the final order by this Authority or until further modifications or directions are given by this Authority.
5. The Complainant and Respondent is hereby notified to comply with this Interim Order.
6. The Steps of consulting the appropriate government as required under section 8 of RE(R&D) of the Act, if any shall be considered/taken up in due course of time.

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) as per Section 44 of the Act, 2016.

Sd/-
Sri. K. Srinivas Rao,
Hon'ble Member
TS RERA

Sd/-
Sri. Laxmi NaryanaJannu,
Hon'ble Member
TS RERA

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

