BEFORE TELANGANA REAL ESTATE REGULATORY AUTHORITY

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

Dated: 30th October, 2026

Complaint No. 358 of 2026

Corum: **Sri K S Sreenivasa Raju I.A.S., (Retd.), Hon'ble Chairperson**
Sri Laxmi Narayana Jannu, Hon'ble Member
Sri K. Srinivasa Rao, Hon'ble Member

Between:

Smt. Bondili Saritha

R/o. 20-197, Opposite N.S.P. Colony,

Main Gate, Patha Peta, Nuzvid Krishna District,

Andhra Pradesh- 521201.

...Complainant

And

M/s. Pacifica Constructions Pvt. Ltd.,

Rep. by its Authorized Official Persons

C/o. M/s. Nebula Infraspace LLP,

Nebula Aavass Hyderabad, Bollaram Road,

Coco- Cola Junction, Miyapur, Hyderabad- 500049.

1. **Mr. Mamta Shahani**
   R/o. Janpath App. Ambawadi,
   B/H Shajanand College, Ahmadabad,
   Gujarat-380015.

2. **Vikram Daitha**
   R/o. H.no. 6-3-609/29/1, Anand Nagar colony,
   Khairatabad, Hyderabad, Telangana- 500004.

…Respondent(s)

The present matter, filed by the Complainant herein, came up for hearing before this Authority on 15.10.2026 and Mr. M. Balasubramanyam, learned Counsel for the Complainant

was present, and the Respondent Counsel was present. Upon hearing the submissions of the learned Counsels, this Authority passes the following **INTERIM 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 "Act") read with Rule 34(1) of the Telangana Real Estate (Regulation and Development) Rules, 2017 (hereinafter referred to as the "Rules"), in relation to the registered real estate project known as "Aavas Hyderabad", bearing Registration No. P02200000223. The Complainant has, inter alia, sought interim protection in respect of the allotment of Flat No. AW4-909, in Aavas Hyderabad Sy. No. 311(p), 312(p), 313(p), 316(p), 317(p), Bachupally, Medchal-Malkajgiri District (hereinafter referred to as the "subject flat") pending adjudication of the Complaint.

a) *Direct the Respondents to restrain from cancelling the allotment of Flat No. AW4-909 and from alienating the same pending adjudication of the Complaint.*

3. The Complainant submits that she booked the subject flat pursuant to the representations made by the Respondents and subsequently entered into an Agreement of Sale dated 25.05.2018. It is submitted that the total sale consideration agreed under the said Agreement of Sale was for a total sum of Rs. 18,00,795/- (Rupees Eighteen Lakh Seven Hundred Ninety Five Only) exclusive of applicable taxes, and that the Complainant has paid an aggregate amount of 18,89,895/- (Rupees Eighteen Lakh Eighty Nine Thousand Eight Hundred Ninety Five Only) towards the subject flat.

4. It is further submitted that, under the Agreement of Sale, possession was agreed to be handed over within 60 months plus 6 months from the date of execution of the said Agreement of Sale. Accordingly, the contractual date for handing over possession, as stated by the Complainant, expired on 25.11.2023. The Complainant alleges that possession was not handed over within the agreed period.

5. The Complainant has further alleged that, notwithstanding the aforesaid circumstances, the Respondents have raised an additional demand of Rs. 5,75,731/- (Rupees Five Lakh Seventy Five Thousand Seven Hundred Thirty One Only) under various heads and have insisted upon payment of the said amount as a condition precedent for registration and possession of the subject flat.

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6. The interim relief sought in the present Complaint is confined to the preservation of the allotment and subject flat i.e. Flat No. AW4-909 pending adjudication of the Complaint. The Complainant seeks restraint against the Respondents from cancelling the allotment of the said flat or from alienating, transferring, encumbering or creating any third-party rights or interests therein, so as to preserve the subject matter of the Complaint and ensure that the relief sought by the Complainant, if found sustainable upon adjudication, is not rendered infructuous.

7. On the first date of hearing, learned Counsel for the Respondents appeared and sought time to file the counter affidavit. On the next date of hearing, learned Counsel for the Respondents again appeared and sought further time for filing the counter affidavit. On the subsequent date of hearing the Counsel for Respondent failed to file the counter affidavit. However, considering the apprehension expressed by the Complainant regarding cancellation of the allotment and alienation of the subject flat, and having regard to the averments made in the Complaint and the documents relied upon by the Complainant, which remain uncontroverted at this stage, this Authority considers it appropriate to preserve the subject matter of the Complaint pending further adjudication. Nevertheless, the non-filing of the counter affidavit by the Respondents shall not, by itself, be construed as an admission of the allegations made by the Complainant, and the observations contained herein are confined solely to the limited consideration of the interim relief sought.

8. Upon consideration of the submissions made by the learned Counsel for the parties and the material placed on record, including the Agreement of Sale and payment receipts, this Authority is of the prima facie view that the Complainant has made out sufficient grounds for preservation of the allotment of Flat No. AW4-909 pending further hearing. Having regard to the dispute regarding the additional demand raised by the Respondents and the apprehension expressed by the Complainant regarding cancellation of the allotment and alienation of the subject flat, it is considered appropriate to maintain the status quo in respect of the said allotment and flat, so as to prevent creation of any third-party rights pending adjudication of the Complaint.

9. Accordingly, in exercise of the powers conferred under Section 36 of the Real Estate (Regulation and Development) Act, 2016, read with Rule 34(1) of the Telangana Real Estate (Regulation and Development) Rules, 2017, the Respondents are hereby restrained from cancelling the allotment of Flat No. AW4-909 solely on account of the disputed additional demand of Rs. 5,75,731/- (Rupees Five Lakh Seventy-Five Thousand Seven Hundred Thirty

One Only) and from alienating, transferring, encumbering or creating any third-party rights or interests in respect of the said flat, until the next date of hearing, i.e., 03.12.2026.

10. The matter is posted to 03.12.2026 for further hearing. The Respondents shall file its counter affidavit on or before the next date of hearing. The interim protection granted herein shall remain operative until the final disposal of the Complaint, subject to further orders of this Authority. Any violation of the directions contained herein shall be dealt with in accordance with law.

Sd/-	**Sd/-**	**Sd/-**
Sri K. Srinivasa Rao,	**Sri Laxmi Narayana Jannu,**	**Sri K S Sreenivasa Raju I.A.S., (Retd.),**
Hon'ble Member,	**Hon'ble Member,**	**Hon'ble Chairperson,**
TG RERA	**TG RERA**	**TG RERA**

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