

BEFORE TELANGANA REAL ESTATE REGULATORY AUTHORITY

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

Complaint No. 1796 of 2023
Dated this 13th November 2024

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

G. Arundati

*(H.06-86/40, Veeraswamy Nagar, Near Ganesh Manapam, Qutbullapur, Medchal – Malkajgiri
Hyd- 500055)* **...Complainant**

Versus

M/s Swayam Homes represented by Vantala Jangaiah Yadav

*(Resp by Managing director Sri V.Jangaiah Yadav, R/o Madhusudhan Apartments, flat no.103-
104, Street 5, Habsiguda – Hyderabad)*

...Respondent

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This present Complaint came up for hearing on 13.11.2024 before us for hearing in the presence of Sri Thirupati for the Respondent and none appeared on behalf of Complainant and upon hearing the arguments on both sides and the matter reserved over for the consideration till this date, this Authority passes the present complaint order.

ORDER

2. The Complainant has filed complaint on hand 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"), alleging commission of violation and contravening of the provisions of the said Act and Rules and sought for the appropriate reliefs against the Respondent.

3. The matter was initially listed for hearing on 19.06.2024, on which date none appeared on behalf of the Complainant. The Respondent, however, was present and submitted a detailed reply, denying the allegations made by the Complainant. In the absence of representation from the Complainant, the matter was adjourned and fresh notice was directed to be issued to the Complainant.

4. Subsequently, the matter was listed on 24.07.2024, 20.08.2024, 01.11.2024, and 13.11.2024. On each of these dates, the Complainant failed to appear or participate in the proceedings, despite due service of notice and repeated reminders and messages being sent through other co-complainants who had jointly filed complaints against the same Respondent concerning the same real estate project.

5. Upon careful perusal of the record and having noted the Complainant's consistent and unexplained absence from multiple hearings, this Authority is of the considered view that adequate and reasonable opportunities were extended to the Complainant to appear and prosecute the matter. The repeated non-appearance and failure to maintain communication clearly indicate a lack of intent or diligence on the part of the Complainant to pursue the complaint.

6. This Authority is mindful of its duty to protect the interest of homebuyers. However, in the absence of material evidences or representation from the Complainant, no further adjudication can be carried out. The complaint cannot be kept pending indefinitely, particularly when the Complainant has failed to prosecute the matter despite sufficient indulgence shown by the Authority.

7. In light of the above facts and circumstances, and in the absence of any justified cause for continued non-appearance, this Authority finds it appropriate to dismiss the complaint for non-prosecution.

8. Accordingly, the complaint stands dismissed.

**Sd-
Sri. K. Srinivas Rao,
Hon'ble Member
TG RERA**

**Sd-
Sri. Laxmi NaryanaJannu,
Hon'ble Member
TG RERA**

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