

# TELANGANA STATE REAL ESTATE REGULATORY AUTHORITY

COMPLAINT NO.318 OF 2021

Date of Decision: 02.08.2023

Sri Abdul Rub Rizwan

Versus

...Complainant

Sri Syed Manzoor Hussain

...Respondent

**Quorum:**

Dr. N. Satyanarayana, Hon'ble Chairperson  
Sri Laxmi Narayana Jannu, Hon'ble Member  
Sri K. Srinivasa Rao, Hon'ble Member

**Appearance:**

None for the Complainant.  
Sri Syed Manzoor Hussain for the Respondent.

## ORDER

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") seeking action to be taken against the Respondent for completing pending works in the Project "Hussain Gulshan Apartment".

**A. Facts of the Complaint:**

2. That the matter was called for hearing on 02.08.2023, and the Respondent categorically submitted that the Agreement of Sale of the Project "Hussain Gulshan Apartment" made between the parties is 10 years old and that the land is below 500 Sq Yds. He corroborates the same by the Sale Deed entered into between the parties which clearly states that the Respondent herein is the absolute owner and possessor of the House bearing Municipal No.12-1-597 and 12-1-598, admeasuring 106 Sq Yds or equivalent to 88.61 Sq Mts situated at Syed Ali Guda, Hyderabad, Telangana State.

3. The Respondent further submitted that the Complainant has filed a case before the Consumer Forum and obtained reliefs thereof. He accordingly requested this Authority to dispose of the present case on the above grounds.

4. As per Section 3(2)(a) of the Act, no registration of the real estate project shall be required where the area of land proposed to be developed does not exceed five hundred square meters and in the present matter, the land in question is only 88.61 Sq Mts.

**B. Findings of the Authority:**

4. Therefore, this Authority does not have jurisdiction to adjudicate the present matter and it is dismissed on this ground alone. The parties are hereby informed that failure to comply with this Order shall attract Section 63 of the Act.

5. 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) within 60 days from the date of receipt of this Order.

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

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

**Sd/-**  
**Dr. N. Satyanarayana, Hon'ble Chairperson**  
**TS RERA**