

BEFORE THE HON'BLE CONSUMER DISPUTES REDRESSAL
COMMISSION: RANGA REDDY: AT:L.B.NAGAR

C.C.No. 296 of 2021

Between:

1.Ms.Kusum Kumari, W/o.Ravindra Sharma,
Aged about 42 years, Occ:Business.

2. Mr.Ravindra Sharma S/o.Madan Mohan Sharma,
Aged about 46 years,Occ: Business,
Both are R/o.H.No.346, Silver Oak Bungalows,
Phase No-3, Cherlapally Village, Kapra Mandal,
Medchal-Malkajgiri District.

..Complainants

AND

M/s Silver Oak Villas LLP,
Represented by its Managing Director,
Mr.Sohan Modi, S/o.Late Satish Modi,
Aged about 50 years, Occ: Business,
R/o.H.No.5-4-187/3 & 4, 2nd Floor,
Sohan Mansion, M.G.Road, Secunderabad-500003.

..Opposite Party

COMPLAINT FILED BY THE COMPLAINANT UNDER SEC. 35 OF
THE CONSUMER PROTECTION ACT, 1930 2019

Description of the Complainants: That the description and address of the complainant for the purpose of service of summons, process, etc., is the same as shown in the above cause title.

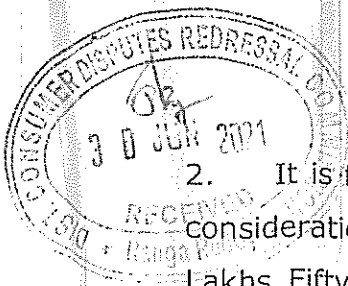
Description of the Opp.Party: That the description and address of the Opposite Parties for the purpose of service of summons, process, etc., is the same as shown in the above cause title.

That the above named Complainant humbly submits as follows:

1. It is submitted that the complainants approached the Opp.party to purchase the construction house. The Opp.party party offered the Complainants to sell out their open plot bearing No.93 admeasuring 161 Sq.yds, in Sy.Nos.11, 12, 14, 15, 16, 17,18 & 294 situated at Cherlapally Village, Kapra Mandal,, Medchal- Malkajgiri and also construction works for which they told that the Complainant No.1 & 2 have to pay the amounts separately i.e Rs.28,50,000/- for an Open Plot and Rs.28,50,000/- for Constructions. The Complainants accepted their offer and were ready to make the payment towards the same.

Kusum Kumari

Ravindra Sharma



2. It is further submitted that the Complainant paid the above sale consideration for open plot i.e Rs.28,50,000/-(Rupees Twenty Eight Lakhs Fifty Thousand Only) through online-RTGS and the Opp.party executed the sale deed in favour of Complainants vide document No.6242/2021 dated 25-03-2021 at Sub-Registrar of Uppal, Ranga Reddy District and also the Complainant paid the construction amount to the Opp.party for Rs.21,86,000/-(Twenty One Thousand Eight Six Thousand Only) and Rs.6,64,000/-(Rupees Six Lakhs Sixty Four Thousand Only) through online-RTGS on 07-05-2021 total amount Rs.28,50,000/-(Rupees Twenty Eight Lakhs Fifty Thousand Only). Though, the Complainant paid the entire amount(Open Plot + Construction) to the Opp.party, but the Opp.party demanded to pay the additional amount of Rs.5,13,000/- in form of GST Tax 18 % on the construction value of RS.28,50,000/-. However, the Complainant paid the entire amount of Rs.62,22,594/- to the Opp.party including all the above said charges. Hence, There were no dues in respect of the property from the Complainant.

3. It is further submitted that when the Complainant requested Opp.party to hand over the position of the property, the Opp.party bluntly refused to hand over it to him as the Complainant has to pay some more additional amounts of Rs.4,30,480/- which would be for interest on delay payment, 6 months maintenance, Member Fee, Corpus fund, Majeera Water Connection, Extra work charges etc. but the Complainant did not agree to pay the additional amount. The Opp.party insisted the Complainant to pay the same if not, the position will not be transferred in his favour. However, the Complainant requested Opp.party several times to do the same, but there was no proper response from him. The Opp.party did not construct the house with the proper material due to which the Complainant got huge financial loss and suffered with mental agony. The Complainant left no option and hence, he lodged a complainant against the Opp.party who cheated the Complainant through Consumer Grievance portal vide number 2751726 dated 28-05-2021, but he did not get any reply from them.

Kusum Kumari

Ravindra Sharma

BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION
RANGA REDDY
(DISTRICT COURT COMPOUND, N.T.R. NAGAR, HYDERABAD)

CC 296/2021



BETWEEN:-

Ms.Kusum Kumari & another

.... Complainants

VS

M/s.Silver Oak Villas LLP, Represented by its M.D

... Opposite Party

NOTICE

Whereas the above named Complainant filed a complaint against you U/s 35 of Consumer Protection Act, 2019 (copy of complaint enclosed). Hence, you are hereby required to appear before this Commission on 04.08.2021 at 10.30. a.m., either in person or through an Advocate, and file your written version if any, with in prescribed time of 35 days from the date of receipt of this notice, failing which complaint will be determined in accordance with law.

// BY ORDER //

P. Phante
SHERISTADAR 05/07/2021
Dist. Commissioner
Redressal Commission Ranga Reddy

To:

M/s.Silver Oak Villas LLP, Represented by its Managing Director,
Mr.Sohan Modi, S/o.Late Satish Modi, R/o. H.No.5-4-187/3 & 4,
2nd Floor, Sohan Mansion, M.G.Road, Secunderabad – 500 003

Dis No.....840.....Dated.....13-7-2021

4. It is humbly submitted that the Opposite Party committed default in providing the good and proper service to the complainant, who suffered with lot of mental agony and depression besides financial loss.

5. The complainant is entitled to claim an amount of Rs. Rs.10,00,000/- (Rupees Ten Lakhs Fifty Thousand only) along with compensation of Rs.2,00,000/- towards damages, pain and suffering and mental agony caused to the complainant along with legal costs of Rs.10,000/-.

6. As the conduct of the Opposite party amounts to deficiency in service, the complainant is constrained to file this petition before this Forum for justice under the provisions of Consumer Protection Act.

IV. **CAUSE OF ACTION** : The cause of action arose when the Complainant paid the whole amount for construction of house, Opp.party kept insisting to pay an additional charges which the Complainant refused and requested several times to hand over the position of the property. The Opp.party bluntly refused to hand over the same and it is still in the Opp.party possession. Hence the cause of action is still subsisting.

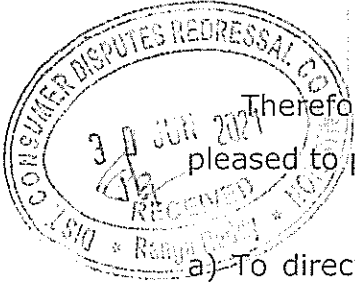
V. **JURISDICTION** : The complainant residing at R/o.H.No.346, Silver Oak Bungalows, Phase No-3, Cherlapally Village, Kapra Mandal, Medchal-Malkajgiri District hence, this Hon'ble Forum got the jurisdiction to entertain the complaint.

VI. **LIMITATION** : The complaint is within the period of limitation. It is submitted that the complaint is within limitation as per the provisions of Section 24(A) of Consumer Protection Act, 1986.

VII. **COURT FEE** : The Court Fee of Rs. is paid U/Sec. of Consumer Protection Act, which is sufficient.

Kusum Kumari

Ravindra Sharma



Therefore, the complainants pray the Hon'ble Forum may be pleased to pass orders in favour of complainants against Opp.Party.

- a) To direct the Opp.party to pay Rs.10,00,000/- (Rupees Ten Lakhs only) to the complainant towards entire loss and damages caused due to delay and poor quality of construction and negligent acts of opp.party herein.
- b) Award compensation of Rs.2,00,000/- (Rupees Two Lakhs only) to the complainant towards pain, suffering and mental agony and
- c) Award cost of the complaint Rs.10,000/- .
- d) and grant such other relief or reliefs as this Hon'ble Forum deems fit and proper in the interest of Justice and equity.

L.B.Nagar

Date : 30-6-2021

1. Kusum Kumari 2. Ravindra Sharma

COMPLAINANT

VERIFICATION

We, Ms.Kusum Kumari & Mr.Ravindra Sharma the complainants herein do hereby verified that the contents of the complaint are true and correct to the best of our knowledge and belief. Hence verified the same on this the day of June 2021 at L.B.Nagar.

1. Kusum Kumari 2. Ravindra Sharma

COMPLAINANT

LIST OF DOCUMENTS

- 1.Copy of sale deed vide document No.6242/2021 dated 25-03-2021.
- 2.Copy of grievance details.
3. Copy of amounts break up given by Opp.party
4. Copy of agreement for construction doct No.6243/2021.

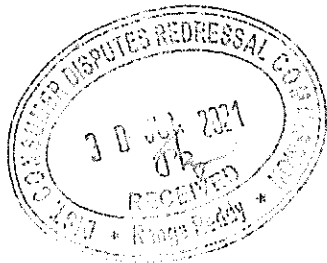
L.B.Nagar

Date : 30-6-2021

1. Kusum Kumari 2. Ravindra Sharma

COMPLAINANT

SR 832
30/6/2021



BEFORE THE HON'BLE
CONSUMER DISPUTES
REDRESSAL
COMMISSION: RANGA
REDDY: AT: L.B.NAGAR

C.C.No. of 2021

Between:

Ms.Kusum Kumari and
anotherComplainant

AND

M/s Silver Oak Villas LLP,
Represented by its Managing
Director ..Opposite Party

COMPLAINT FILED BY THE
COMPLAINANT UNDER
SEC. 13 OF THE
CONSUMER PROTECTION
ACT, 1986

Filed on : 30-6-2021

Filed by :

Ms.Kusum Kumari
Mr.Ravindra Sharma
COMPLAINANTS
PARTY- IN-PERSON