

BEFORE THE HON'BLE DISTRICT CONSUMER FORUM – II

AT: HYDERABAD

CC NO. 557 OF 2015

Between:

Salem Padmanabam Srinivas Prasad

... Complainant

AND

M/s. Modi Properties and

Investments Pvt. Ltd., & another

.... Opposite Parties

WRITTEN SUBMISSION OF OPPOSITE PARTY NO.1

(Modi Properties and Inv. Pvt. Ltd.,)

The Opposite party no.1 submits as follows:

1. Opposite Party No. 1 has been referred to as M/s. Modi Properties & Investments Pvt. Ltd., sister concern of M/s. Nilgiri Estates represented by its Managing Director in the Complainant. Opposite Party no. 2 has been referred to as M/s. Paramount Avenue, sister concern of M/s. Modi Properties & Investments Pvt. Ltd., represented by its Managing Director in the Complainant.
2. M/s. Nilgiri Estates, a registered partnership firm is developing a housing project known as Nilgiri Estate situated at Rampally Village, Keesara Mandal, RR District, consisting of 79 villas along with appurtenant amenities.
3. M/s. Paramount Estates, a registered partnership firm is developing a housing project known as Paramount Avenue situated at Nagaram Vilalge, Keesara Mandal, RR District, consisting of 208 flats along with appurtenant amenities. There is no firm or entity by the name 'Paramount Avenue'.
4. M/s. Modi Properties & Investments Pvt. Ltd., is a private limited company which is a holding company and is not directly connected with either ownership or development of the projects known as Nilgiri Estates or Paramount Avenues.
5. M/s. Modi Properties & Investments Pvt. Ltd., is not concerned with any direct transaction that the complainant has with either M/s. Paramount Estate or M/s. Nilgiri Estates.
6. Accordingly M/s. Nilgiri Estates and M/s. Paramount Estates are duly filing separate written statements as opposite party No.1 and opposite party No. 2.

For Modi Properties & Investments Pvt. Ltd. /

7. The Complainant has wrongly shown M/s. Modi Properties & Investments Pvt. Ltd., as the Opposite Parties being rep. by their Managing Director. The Opposite parties are partnership firms represented by its Partners. This fact has been clearly mentioned in the reply notice given by the Opposite parties 1 & 2.
8. This Opposite party submits that M/s. Modi Properties and Investments Pvt. Ltd., is only a holding company and it is neither the owner or developer of any of the projects that are referred in the Complaint. The individual projects developed are owned and developed by separate firms having different partners and constitution. The accounting procedures are different and unconnected to any other firm of the holding company. The issues raised by the Complainant pertain to two separate and independent firms which are unconnected in their operations i.e., Paramount Estates and Nilgiri Estates. The issues raised by the Complainant pertaining to the individual firms have to be separately addressed to the respective firms. As such the Opposite parties got issued two separate reply notices on behalf of the individual firms.
9. With regard to Para no.1 of the complaint it is not true to say that the Opposite parties are sister concerns of Modi Properties and Investments Pvt. Ltd., it is only a holding company of the Opposite parties 1 & 2.
10. This Opposite Party adopts the written submissions of the Opposite Parties 1 & 2.

Secunderabad
Date: 04.01.2016

For Modi Properties & Investments Pvt. Ltd.

Managing Director
OPPOSITE PARTY No. 1

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WRITTEN SUBMISSION OF
OPPOSITE PARTY NO.1
(Modi Properties and Inv. Pvt. Ltd.)

Filed on: 04.01.2016

Filed by:

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**COUNSEL FOR OPPOSITE
PARTIES**