

BEFORE THE ADJUDICATING OFFICER TELANGANA
STATE REAL ESTATE REGULATORY AUTHORITY, DTCP
BUILDING, GROUND FLOOR, 640, AC GUARDS, MASAB
TANK, OPP PTI BUILDING AT: HYDERABAD

C.C.P.No.06/2024/TG RERA

Between:

Chiruvolu Ravi Shanker
S/o R.Ramana Murthy
R/o H.No.1.8.22/71/202,
SV Nivas Kapra Malkajgiri

..Complainant

And

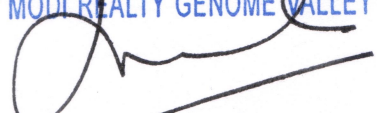
M/s Modi Realty Genome Valley LLP
Rep by its Partner Mr.Soham Modi
R/o 5-4-187, MG Road Secunderabad

..Respondent

WRITTEN ARGUMENTS FILED ON BEHALF OF THE
RESPONDENT

1. It is submitted that the complainant filed the complaint with false and frivolous allegations as such the complaint is liable to be dismissed.
2. It is submitted that the Respondents is a reputed developer and having 30 + years of experience in the construction of houses and flats in and around twin cities of Hyderabad and Secunderabad.
3. It is submitted that the Respondent after receiving the notice from your Hon'ble Tribunal, has appeared through its counsel and filed the written submissions/counter along with all supporting documents.
4. It is most humbly submitted that the Respondent is in belief that the case is filed by the complainant and the person appearing on every adjournments before your Hon'ble Tribunal is the complainant. But on 20.08.2024 when the Respondent counsel

For MODI REALTY GENOME VALLEY LLP



served the copies of counter and asked to acknowledge. At that point of time it has come to the notice of the Respondent counsel that he is not the complainant and upon questioning, Mrs. Naga Brunda the complainant in the other connected matter in CC.No.05 of 2024 revealed that she has taken the authorization of the complainant to represent on his behalf in this present case. But the copy of authorization is also not provided to the Respondent the reason best known to them.

5. It is submitted that the Respondent not raised this objection and highlighted in its counter because we were kept in dark and not aware of it. However while filing the counter we brought it to the notice of the Hon'ble Presiding officer.
6. It is submitted that the authorization letter is taken after filing the complaint and the complaint is signed and filed by Mrs. Naga Brunda wherein she has no authority to file this complaint. The complaint itself is not maintainable either on facts or on law as such the complaint is liable to be dismissed.
7. It is submitted that for filing a complaint before the RERA Adjudicating officer. The rules prescribed under the act which states that the applicant or appellant may either appear in person or authorize one or more chartered accountants or company secretaries or cost accountants or legal practitioners or any of its officers to present his or its case before the Appellate Tribunal or the Regulatory Authority or the adjudicating officer, as the case may be.
8. It is submitted that where a party to the complaint is represented by an authorized person, as provided under section 56 of RERA Act, a copy of the authorization to act as such and the written consent thereto by such authorized person, both in original, shall be appended to the complaint. But here in this present case no

For MODI REALTY GENOME VALLEY LLP

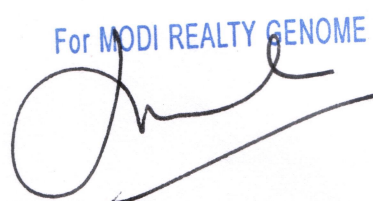
Partner

such copy of authorization is attached along with the complaint and moreover the person filed the complaint is not having any authorization at the time of filing the complaint and the same is liable to be dismissed.

9. It is submitted that at this juncture, when it has come to the notice of the Respondent that the complaint filed by the person has no authorization and the same is strongly opposed by the Respondent, the present complaint is Ab-Initio in nature and cannot be entertain and as such it is liable to dismiss.

It is therefore prayed that this Hon'ble Tribunal may be pleased to dismiss the complaint, as the complaint itself is not maintainable as per the procedure of RERA Act and pass such other order or order's as this Hon'ble Tribunal may deems fit and proper in the interest of justice.

Date: 28.08.2024
Place: Hyderabad

For MODI REALTY GENOME VALLEY LLP

Respondent

Partner


Counsel for Respondent

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Smt Chiruvolu Ravi Shanker
...Complainant

AND

M/s Modi Realty Genome
Valley LLP

..Respondent

WRITTEN ARGUMENTS
FILED ON BEHALF OF
THE RESPONDENT

Filed on : 28.08.2024

Filed by : Counsel for
Respondent

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