

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

Inward IA.No. Of 2024
IN
C.C.P.No.05/2024/TG RERA

Between:

Smt Chiruvolu Naga Brunda
W/o C.Ravi Shanker
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/Petitioner

COUNTER AFFIDAVIT PRAYING TO DISMISS THE
DOCUMENTS RECEIVE PETITION AND SECTION 66 B
PETITION.

I Soham Modi S/o Late Satish Modi Occ: Business R/o 5-4-187/3 & 4,
Soham Mansion 2nd Floor, MG Road Secunderabad represeting as a
partner to the Respondent Company do hereby state as under:

I Submit that the complainant filed a complaint against the
Respondent before your Hon'ble Tribunal claiming compensation as
menioned in the complaint. The matter stood thus, the trial has been
conducted and documents were also marked as exhibits.

I submit that on 23.09.2024 the complainant has appinted a counsel
and accordingly on behalf of the complainant he filed an documents

For MODI REALTY GENOME VALLEY LLP
Authorized Representative

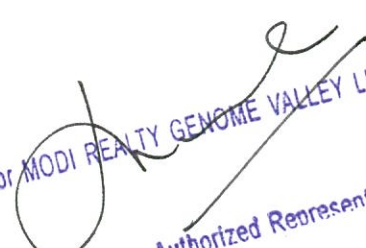
receive petition praying this Hon'ble Tribunal to accept the list of additional documents.

I submit that the main gist of document of the case is complaint and the same is pending for adjudication and parallely the complainant also filed petition to receive the additional documents which cannot be taken at this stage when the amendment of complaint itself is not decided.

I submit that the document of hospital bill of the complainant's husband caliming compensation by way of filing false doucment is clearly apparent on record to show that the complainant approached this Hon'ble court with unclean hands. The complainant by suppressing and misrepresenting the material particulars approached to this Hon'ble Tribunal with a dishonest intention to gain wrongfully and to cause wrongful loss to the Respondent as such the same is liable to be dismissed.

I submit that the complainant also filed a petition U/s 66 B enclosing the Certificate of genuineness for the authentication of the doucemnts. In that connection I would like to bring to the kind notice of this Hon'ble Tribunal that the mails dated 29.04.2024 and 06.05.2024 is sent from the mail-id of Mr.Ravi Shanker and the same cannot be taken in to consideration and the certificate of authentication filed is invalid and abusing the process of law. As such the same is liable to be dismissed.

I submit that it is settled principal of law that for any case or proceedings the mother document is Complaint/plaint when the same itself is not decided or adjudicated, no other doucment can be taken in to consideration and moreover the few documents filed by the compainant is not true and few are not binding on her case and the same cannot be filed U/s 66B by enclosing an certificate of authentication as such the same is lilable to be dismissed.


For MODI REALTY GENOME VALLEY LLP
Authorized Representative

I submit that the Respondent has filed the counter on the Petition for amendment of complaint which was filed by the complainant and the same is pending before this Hon'ble Tribunal

It is therefore prayed that this Hon'ble Tribunal may be pleased to dismiss the documents receive petition and petition U/s 66 B filed by the complainant and pass such other order or order's as this Hon'ble Tribunal deems fit and proper in the circumstances of the case and in the interest of justice.

Date; 30.09.2024
Place: Hyderabad


For MODI REALTY GENOME VALLEY LLP
DEPONENT
Authorized Representative

BEFORE THE
ADJUDICATING OFFICER
TELANGANA
STATE REAL ESTATE
REGULATORY AUTHORITY
AT: HYDERABAD

C.C.P.No.05/2024/TG RERA

Between:

Smt Chiruvolu Naga Brunda
...Complainant

AND

M/s Modi Realty Genome
Valley LLP

..Respondent

COUNTER AFFIDAVIT
PRAYING TO DISMISS THE
DOCUMENT RECEIVE PETITION
AND SEC 66 B PETITION

Filed on : 30.09.2024

Filed by : Counsel for
Respondent

Address for Service:

P.Vikram Kumar
M.A.Lateef
Advocates
H.No.12-1-925/26/1to7
Flat No.403, Classic Mustafa
Tower, Feelkhana Lane,
Mallepally, Hyd-01
Mob:9985338487

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

Inward IA.No. Of 2024
IN
C.C.P.No.05/2024/TG RERA

Between:

Smt Chiruvolu Naga Brunda
W/o C.Ravi Shanker
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/Petitioner

PETITION FILED U/S 151 OF CPC

For the Reasons stating in the accompanying affidavit it is prayed that this Hon'ble Tribunal may be pleased to dismiss the document receive petition and Petition U/s 66 B filed by the complainant on the following grounds.

1. It is submitted that the main gist of document of the case is complaint and the same is stand still for adjudication and parallely the complainant also filed petition to receive the additional documents which cannot be taken at this stage when the amendment of complaint itself is not decided.
2. It is submitted that the document of hospital bill of the complainant's husband caliming compensation by way of filing false doucment is clearly apparent on record to show that the complainant approached this Hon'ble court with unclean hands. The complainant by suppressing and misrepresenting the material

particulars approached to this Hon'ble Tribunal with a dishonest intention to gain wrongfully and to cause wrongful loss to the Respondent as such the same is liable to be dismissed.

3. It is submitted that the complainant also filed a petition U/s 66 B enclosing the Certificate of genuineness for the authentication of the documents. In that connection I would like to bring to the kind notice of this Hon'ble Tribunal that the mails dated 29.04.2024 and 06.05.2024 is sent from the mail-id of Mr.Ravi Shanker and the same cannot be taken in to consideration and the certificate of authentication filed is invalid and abusing the process of law. As such the same is liable to be dismissed.
4. It is submitted that it is settled principle of law that for any case or proceedings the mother document is Complaint/plaint when the same itself is not decided or adjudicated, no other document can be taken in to consideration and moreover the few documents filed by the complainant is not true and few are not binding on her case and the same cannot be filed U/s 66B by enclosing an certificate of authentication as such the same is liable to be dismissed.
5. It is submitted that the Respondent also filed the counter on the Petition for amendment of complaint which was filed by the complainant and the same is pending for decision before this Hon'ble Tribunal .

It is therefore prayed that this Hon'ble Tribunal may be pleased to dismiss the documents received petition and petition U/s 66 B filed by the complainant and pass such other order or orders as this Hon'ble Tribunal deems fit and proper in the circumstances of the case and in the interest of justice.

Date; 30.09.2024
Place: Hyderabad


Counsel for the Respondent

BEFORE THE
ADJUDICATING OFFICER
TELANGANA
STATE REAL ESTATE
REGULATORY AUTHORITY
AT: HYDERABAD

C.C.P.No.05/2024/TG RERA

Between:

Smt Chiruvolu Naga Brunda
...Complainant

AND

M/s Modi Realty Genome
Valley LLP

..Respondent

PETITION FILED U/S 151 OF
CPC

Filed on : 30.09.2024

Filed by : Counsel for
Respondent

Address for Service:_____

P.Vikram Kumar
M.A.Lateef
Advocates
H.No.12-1-925/26/1to7
Flat No.403, Classic Mustafa
Tower, Feelkhana Lane,
Mallepally, Hyd-01
Mob:9985338487