TELANGANA REAL ESTATE APPELLATE TRIBUNAL: HYDERABAD
Krishna Block, First Floor, Dr. MCR HRDI Campus, Road No.25, MP & MLA's colony, Jubilee Hills, Hyderabad-500 033.

CORAM: Hon'ble Sri Justice A. Santhosh Reddy, Chairperson.
Hon'ble Sri P. Pradeep Kumar Reddy, Judicial Member.
Hon'ble Sri Vemula Sreekar, Administrative Member.

**T.A.No. 43 of 2025**

Between:

Dr. Lubna Sarwath, Flat No.202, Gayathri Gardens, Street No.2, Tarnaka, Secunderabad-500017.

...Appellant/Complainant

AND

1. M/s Phoenix Global Spaces Private Limited, represented by its Authorised Representative, Office at Plot No.1057/M, Road No.45, Jubilee Hills, Shaikpet, Hyderabad – 500033
2. M/s Sumadhura Constructions Private Limited, represented by its Authorised Representative, Office at Door No: 8-2-293/82/A/7, Plot No. 1131, 2nd Floor, Jubilee Hills, Road No:36, Hyderabad- 500033
3. The District Collector, Ranga Reddy District, Office at Integrated District Office Complexes, Kongara Kalan Village, Ibrahimpatnam Mandal, Ranga Reddy District, Telangana 501510
4. Telangana State Industrial Infrastructure Corporation Ltd, through its Managing Director, Registered Office at "Parisrama Bhavanam", 6th Floor, 5-9-58/B, Fateh Maidan Road, Hyderabad-500 004.

... Respondents

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| Appellant | : Party-in-person |
| Counsel for Respondent No. 1 | : Mr.P.Somashekar Reddy |
| Counsel for Respondent No.2 | : Mr.K.Sukumar |
| Date of Decision | : 29.10.2026 |

**ORDER:** (Per Hon'ble Sri Justice A. Santhosh Reddy)

The captioned appeal arises from out of the Order, dated 27.03.2025, passed by the Telangana State Real Estate Regulatory Authority (hereinafter referred to as 'the Regulatory Authority), in Complaint No. 33 of 2025, whereby the Complaint filed by the appellant/complainant has been disposed of holding that the reliefs sought by her cannot be granted.

2. The case of the appellant/complainant, in brief, as contained in the complaint is that in the year 1921, after construction of Osman Sagar Drinking Water Reservoir, Gandipet Raw Water Conduit was laid across the Narsingi Lake-2 outflow channel, so that the lake is not destroyed and continues to feed the ayacut area south of the lake. Subsequently, on 06.06.2005, the Revenue Registration Department issued G.O. Ms. No. 1092, dated 06.06.2005, imposing a prohibition on the registration of the Government lands situated in Puppalguda village, Rajendranagar Mandal, Ranga Reddy District, under Section 22A, on the grounds that such registrations would be contrary to public policy. Survey Nos. 271,

272, and 273 are among the 91 survey numbers included in the said notification. The Complainant further submitted that vide G.O.Ms. No. 33, dated 24.01.2013, issued by the Municipal Administration & Urban Development (MAUD) Department, it was stipulated that no construction shall be permitted within the Water Body Zone, and no building or development activity shall be allowed in the bed of any water body, including rivers, nalas, and the Full Tank Level (FTL) of lakes, ponds, cheruvus, kunta/shikam lands. Further, the identification of a water body, whether perennial or non-perennial, shall be determined based on Survey of India toposheets, revenue records, or other competent authorities. Complainant submitted that pursuant to the approval of the Metropolitan Development Plan-2031 for the Hyderabad Metropolitan Region under the Hyderabad Metropolitan Development Authority (HMDA) Master Plan, G.O. Ms.No. 33 at Para 1.1.8 reiterates that the Water Body Zone encompasses all water bodies, including rivers, streams, lakes, tanks, and kunta lands, as delineated in revenue village maps, topographical sheets of the Survey of India, and records maintained by the State Irrigation Department, Revenue Department, or other competent authorities. The boundaries of such water bodies correspond to the Full Tank Level (FTL) or High Flood Level (HFL),

including both perennial and non-perennial parts wherever such distinction exists. Additionally, as per the list of lakes and water bodies identified within the HMDA jurisdiction, a total of 2,857 lakes were documented inside and outside the Outer Ring Road (ORR), including Narsingi Lake2, which was identified at coordinates 17°24'02.1"N 78°21'23.9"E and listed at Serial No. 248.

3. Complainant further submitted that W.P. No. 36396 of 2017 was pending before the High Court concerning the Occupancy Rights Certificate pertaining to Survey Nos. 271, 272, and 273 of Puppalguda Village, Gandipet Mandal, Ranga Reddy District. The Complainant submitted that, on 06.06.2019, in Civil Revision Petition No. 1241 of 2019, the High Court for the State of Telangana at Hyderabad, passed an order, on a petition filed under Section 2B of the Telangana Area Abolition of Inams Act, 1955, seeking to set aside the order, dated 18.05.2019, in Case No. F1/14927/2018, passed by the Joint Collector, Ranga Reddy District, as well as the earlier order, dated 07.02.2009 in No. L/4233/2008 issued by the Revenue Divisional Officer (RDO), Chevella Division, in relation to land in Survey Nos. 271, 272, and 273, admeasuring Ac. 8.11 Gts, situated in Puppalguda Village, Gandipet Mandal, Ranga Reddy District. That subsequently, on 05.09.2019, the Government issued G.O. Ms. No.

240 (MAUD Pig-III), including the IT Park/SEZ developed by Phoenix Group within Survey Nos. 271, 272, 273, 273/1, and 274 in Puppalguda under the jurisdiction of the Industrial Area Local Authority (IALA). Further, on 26.10.2019, G.O. Ms. No. 260 (MAUD Plg-I) was issued, reclassifying the land in Survey Nos. 271, 272, 272/1, 273, 273/1, and 274 of Puppalguda Village, Rajendranagar Mandal, Ranga Reddy District, admeasuring 26.35 acres, from its previous designation of "Partly Water Body Use and Partly Recreational (Green Buffer Zone)" to "Multipurpose Use Zone." The Complainant submitted that the reclassification was made despite stringent directives from the Hon'ble Supreme Court and in contravention of established rules. The said land was originally designated under the notified Master Plan of the Hyderabad Outer Ring Road Growth Corridor, as approved by G.O. Ms. No. 470, M.A., dated 09.07.2008. The justification for the reclassification was based on the remarks of the District Collector and the Executive Engineer, Irrigation Department, asserting that the said survey numbers constituted Patta lands and that, as per revenue records, no water body existed within these survey numbers. However, G.O. Ms. No. 260 is not available in the public domain but has been referenced in the report filed by the Ranga Reddy District Collector in O.A. No. 189/2020 vide Letter No. LP/1305/2020,

dated 28.01.2021. Further, on 08.02.2020, a case was filed, and on 19.05.2020, O.A. No. 72 of 2020 was registered before the National Green Tribunal (NGT), Southern Zone, Chennai, seeking the protection of Narsingi Lake 2 (HMDA Lake ID 2939) situated in Puppalguda, Gandipet, Ranga Reddy District, by removing encroachments and restoration of the lake's hydrology. The Complainant also submitted that, on 06.08.2020, vide Order No. SEIAA/TS/OL/RRD-576/2020-330, the State Environmental Impact Assessment Authority (SEIAA), Telangana, granted Environmental Clearance to M/s. Phoenix Global Spaces Private Ltd., for a commercial office complex construction project in Survey Nos. 272/1 and 273/1 of Puppalguda Village, Gandipet Mandal, Ranga Reddy District. The project, with a capital cost of Rs. 1100 Crores, encompasses a plot area of approximately 42,491.65 square meters and a built-up area of 6,15,358.45 square meters. The Complainant stated that on 10.01.2021, a Caution Notice was issued concerning the land admeasuring 29 acres situated in Survey Nos. 262 to 274 of Puppalguda Village, Gandipet Mandal (formerly Rajendranagar Mandal), Ranga Reddy District).

4. It was further stated that certain landowners, namely K. Muthyam Reddy, K. Nagireddy, and K. Ratanga Pani Reddy, along with others, had allegedly entrusted for development an extent of Ac.10-20 Guntas

forming part of the Schedule Property, in violation of existing rights and interests. It was further alleged that M/s. Phoenix Global Spaces Private Limited, despite being aware of the said claims, had suppressed material facts and executed 239 conveyance deeds, transferring undivided shares of land to various third parties in small extents. Additionally, the company had purportedly entered into development agreements with the said purchasers. The notice, dated 10.01.2021, highlighted that multiple cases and suits were pending concerning the subject Property and, therefore, cautioned the general public against engaging in any transactions relating to the property to avoid falling victim to such alleged irregularities. The Complainant further stated that on 28.01.2021, vide Letter No. LP/1305/2020, the Government of Telangana, Revenue Department, through Amoy Kumar, I.A.S., District Collector, Ranga Reddy District, addressed a letter to Smt. H. Yasmeen Ali, Counsel for Telangana before the National Green Tribunal (NGT), Chennai, with regard to the Joint Committee Reports on Narsingi Lake-2 in connection with O.A. No. 189 of 2020, filed by the then Member of Parliament , Shri Anumula Revanth Reddy, and O.A.No. 72 of 2020, filed by the complainant before the NGT, Chennai. Further, on 02.03.2021, a reply

was filed by the Collector, Ranga Reddy District, in O.A. No. 72 of 2020, enclosing a location sketch of Narsingi Lake 2.

5. She further stated that on 06.10.2021, the Telangana State Industrial Infrastructure Corporation (TGIIC) issued BPO No. IIC/0229/2021 in favour of M/s. Phoenix Global Spaces Private Limited for development in Survey Nos. 272/P and 273/P, covering a site area of 42,492.1 square meters, with a net area of 39,297.79 square meters. That subsequently, on 20.11.2021, the Regulatory Authority had issued registration No. P02400003565 for the project named "TRITON," located in Survey Nos. 272/P, 273/P, and 274/P at Puppalaguda, Gandipet, Ranga Reddy District. The Complainant further stated that on 18.04.2022, the State Environmental Impact Assessment Authority (SEIAA), Telangana, issued an Environmental Clearance (Amendment) Order bearing No. SEIAA/TS/OL/RRD-914/2021, covering a total area of 42,494 square meters, with a net area of 39,299.74 square meters and a built-up area (BUA) of 7,67,556.72 square meters. The project was designated as a Commercial Office-cum-Residential Complex, with an estimated capital cost of ₹1,370 Crores. On 28.06.2023, M/s. Phoenix Global Spaces Private Limited executed a Development Agreement-cum-Irrevocable General Power of Attorney in favour of M/s. Sumadhura Constructions Private

Limited concerning the scheduled property in Survey Nos. 272P and 273P. Further, the Complainant submitted that on 28.07.2023, the State Environmental Impact Assessment Authority (SEIAA), Telangana, issued an Environmental Clearance to M/s. Phoenix Global Spaces Private Limited for a Residential-cum-IT/ITES Complex in Survey Nos. 272/1 and 273/1, Puppalguda Village, Gandipet Mandal, Rangareddy District. The amendment to the Environmental Clearance specified a revised built-up area (BUA) of 6,24,330.92 square meters, with the total project area remaining at 42,494 square meters and the net area at 39,299.74 square meters. The estimated project cost was reaffirmed at ₹1,370 Crores.

6. The Complainant further submitted that, on 10.08.2023, Original Application No. 72 of 2020, filed before the National Green Tribunal (NGT), Chennai, seeking eviction of encroachments and restoration of Narsingi Lake 2 (HMDA Lake ID 2939), was disposed of. Thereafter, on 16.03.2024, an appeal was filed before the Hon'ble Supreme Court of India against the order of the National Green Tribunal (NGT) in Civil Appeal No. 12490/2024, wherein M/s Phoenix Global Spaces Private Ltd., had filed a caveat. Subsequently, on 06.04.2024, the Telangana State Industrial Infrastructure Corporation (TGIIC) issued Order No. BPO/72/2023, granting permissions in favour of Phoenix Global Spaces Private Ltd. for

Survey Nos. 272P and 273P, with a total site area of 42,492.15 square meters and a net area of 39,297.89 square meters. Thereafter, on 29.04.2024, the Regulatory Authority had registered the Project No. P02400008107 under the name of "SUMADHURA PALAIS ROYAL", pertaining to the same survey numbers and site area. Notwithstanding the orders of the Hon'ble Supreme Court, the Regulatory Authority and TGIIC unauthorizedly permitted the projects that facilitated encroachments upon the lake area, amounting to Contempt of Court. In lieu thereof, the Complainant pointed out the following alleged illegalities on the part of respondent Nos.1 & 2:

a. There has been a wilful suppression of ongoing litigation in multiple courts, including the concealment of caution notices published in newspapers, within Form B and the application Form submitted to regulatory authorities.

b. The property in question has been listed under prohibited properties, with Narsingi Lake 2 (HMDA Lake ID 2939) and Bhulkapur Nala facing destruction due to unauthorized encroachments. The conversion of water bodies into a Multipurpose Use Zone for construction is expressly prohibited, constituting a violation of existing statutory regulations.

c. The Hon'ble Deputy Chief Minister, relying on TGRAC satellite imagery, has publicly affirmed that Narsingi Lake 2 stands 100% encroached, necessitating Suo moto cognizance by the Telangana Real Estate Regulatory Authority (TGRERA) under Sections 7 and 8 of the Real Estate (Regulation and Development) Act, 2016. As the regulatory authority, was duty-bound to initiate appropriate proceedings and direct the

competent authority to immediately halt all construction activities on the site.

d. TGRERA registrations have been granted on the basis of falsified documents, involving suppression of material information, overlooking of irregularities, and unauthorized approvals, thereby rendering such registrations legally unsustainable.

e. A grave irregularity has occurred wherein TGRERA has issued two separate project registrations for the same site area (Survey Nos. 272/P, 273/P, 274/P at Puppalguda, Gandipet, Ranga Reddy), measuring 42,492.15 square meters (net area: 39,297.79 square meters). These include TGRERA Registration No. P02400003565 dated 20.11.2021 and TGRERA Registration No. P02400008107, dated 29.04.2024, which is legally impermissible.

f. Another serious irregularity is evident in the conflict between TGRERA Project Registration No. P02400003565 dated 20.11.2021 for Project "TRITON" (Survey Nos. 272/P, 273/P, 274/P at Puppalguda, Gandipet, Ranga Reddy) and the Telangana State Industrial Infrastructure Corporation (TGIIC) Order No. IIC/0229/2021 dated 06.10.2021, issued to Phoenix Global Spaces Private Ltd. for Survey Nos. 272P and 273P, thereby demonstrating blatant procedural irregularities and conflicting approvals by government agencies.

7. The Complainant relied upon the judgment of the Hon'ble Supreme Court ***in Hinch Lal Tiwari vs Kamala Devi and Ors***[1], wherein the Hon'ble Court held as under:

"The Government, including the Revenue Authorities i.e. Respondents 11 to 13, having noticed that a pond is falling in disuse, should have bestowed their attention to develop the

[1] (2001) 6 SCC 496

> same which would, on one hand, have prevented ecological disaster and on the other provided better environment for the benefit of the public at large. Such vigil is the best protection against knavish attempts to seek allotment in non-Abadi sites. Further it will also help in maintaining ecological balance and protecting the environment in regard to which this Court has repeatedly expressed its concern. Such measures must begin at the grass-root level if they were to become the nation's pride."

8. The Complainant further submitted that the Hon'ble Supreme Court in Writ Petition (Civil) No. 295 of 2022 in the Matter of Demolition of Structures, in its order, dated 13.11.2024, has held as under:

> "At the outset, we clarify that these directions will not be applicable if there is an unauthorized structure in any public place such as a road, street, footpath, abutting railway line, or any river body or water body, and also to cases where there is an order for demolition made by a Court of law."

9. The Hon'ble Supreme Court, in Civil Appeal No.14604 of 2024 & Civil Appeal No.14605 of 2024 in the matter of "Rajendra Kumar Barjatya and Another Vs. U.P. Avas Evam Vikas Parishad & Ors." vide Judgement dated 17.12.2024 held as follows:

> "That apart, the State Governments often seek to enrich themselves through the process of regularisation by

condoning/ratifying the violations and illegalities. The State is unmindful that this gain is insignificant compared to the long-term damage it causes to the orderly urban development and irreversible adverse impact on the environment. Unauthorised constructions, apart from posing a threat to the life of the occupants and the citizens living nearby, also have an effect on resources like electricity, ground water and access to roads, which are primarily designed to be made available in orderly development and authorized activities. Master plan or the zonal development cannot be just individual centric but also must be devised keeping in mind the larger interest of the public and the environment."

"(vi) No permission /licence to conduct any business/trade must be given by any authorities including local bodies of States/Union Territories in any unauthorized building irrespective of it being residential or commercial building. (vii) The development must be in conformity with the zonal plan and usage. Any modification to such zonal plan and usage must be taken by strictly following the rules in place and in consideration of the larger public interest and the impact on the environment."

10. The aforesaid view was reiterated in ***Supertech Limited v. Emerald Court Owner Resident Welfare Association and Others***[2] by holding that

[2] (2021) 10 SCC 1

illegal constructions have to be dealt with strictly to ensure compliance with rule of law. The relevant paragraphs read as under:

> "The rampant increase in unauthorised constructions across urban areas, particularly in metropolitan cities where soaring values of land place a premium on dubious dealings has been noticed in several decisions of this Court. This state of affairs has often come to pass in no small a measure because of the collusion between developers and planning authorities.
>
> "From commencement to completion, the process of construction by developers is regulated within the framework of law. The regulatory framework encompasses all stages of construction, including allocation of land, sanctioning of the plan for construction, regulation of the structural integrity of the structures under construction, obtaining clearances from the different departments (fire, garden, sewage etc.,) and the issuance of occupation and completion certificates. While the availability of housing stock, especially in metropolitan cities, is necessary to accommodate the constant influx of people, it has to be balanced with two crucial considerations - the protection of the environment and the well-being and safety of those who occupy these constructions. The regulation of the entire process is intended to ensure that constructions which will have a severe negative environmental impact are not sanctioned. Hence, when these regulations are brazenly violated by developers, more often than not with the connivance of regulatory authorities, it strikes at the very core of urban planning, thereby directly resulting in an increased harm to the environment and a dilution

of safety standards. Hence, illegal construction has to be dealt with strictly to ensure compliance with the rule of law. The judgments of this Court spanning the last four decades emphasise the duty of planning bodies, while sanctioning building plans and enforcing building regulations and bye-laws to conform to the norms by which they are governed. A breach of the planning authority of its obligation to ensure compliance with building regulations is actionable at the instance of residents whose rights are infringed by the violation of law. Their quality of life is directly affected by the failure of the planning authority to enforce compliance. Unfortunately, the diverse and unseen group of flat buyers suffers the impact of the unholy nexus between builders and planners. Their quality of life is affected the most. Yet, confronted with the economic might of developers and the might of legal authority wielded by planning bodies, the few who raise their voices have to pursue a long and expensive battle for rights with little certainty of outcomes. As this case demonstrates, they are denied access to information and are victims of misinformation. Hence, the law must step in to protect their legitimate concerns".

11. Therefore, the appellant/Complainant sought the following reliefs:

i. "Revoke the registration/permissions of TGRERA Registered - 'Project registration number: P02400003565 dated 20.11.2021 Project: TRITON, Survey No.: 272/P,273/P,274/P, at Puppalguda, Gandipet, Ranga Reddy.

ii. Revoke Project Registration No. P02400008107 dated 29/04/2024 SUMADHURA PALAIS ROYAL Survey Nos 272P AND 273P at Puppalguda, Gandipet, Ranga Reddy.

iii. Investigate serious TGRERA irregularity as TGRERA P02400003565 dated 20.11.2021 Project: TRITON, for Survey No.: 272/P, 273/P, 274/P, at Puppalguda, Gandipet, Ranga Reddy, whereas, TGIIC issues BPO No. No. IIC/0229/2021 dt 06 October, 2021 to PHOENIX GLOBALSPACES PVTLTD for Sy no. 272P, 273P.

iv. Investigate serious TGRERA irregularity that Project registrations have been issued twice to two different companies for same site area Survey No.: 272/P, 273/P, 274/P, at Puppalguda, Gandipet, Ranga Reddy for same site area admeasuring 42.492.15 sqms Net area 39,297.79 sqms

v. Investigate serious TGRERA irregularity as TGRERA Application in Project Registration No. P02400008107, indicates Promoter as Sumadhura Constructions in one column and Phoenix Global Spaces Pvt Ltd in another column.

vi. Investigate serious irregularity of DGPA dt 28.06.2023 in favour of Sumadhura Constructions Pvt Ltd, as TGRERA issues Project Registration to Sumadhura on 29.04.2024 based on TGIIC Building Permit Order issued to Phoenix Global Spaces Pvt Ltd. on 6.4.2024.

vii. Investigate serious irregularity TGRERA, as Form B and other forms submitted to TGRERA even as case was being heard on the site area at NGT Chennai, filed in February 2020 and after case filed at Hon'ble Supreme Court on 16.03.2024, and the case at Apex Court is ongoing. Two High Court cases are pending since 2017.

viii. Investigate serious irregularity, as the survey numbers are mentioned in Prohibited Property List on registrations website as on date.

ix. Existence of water body Narsingi Lake 2 HMDA Lake id 2939, is documented from 1921 to 2024. Since 1921 when Raw water conduit was laid from Osman Sagar reservoir to Asif Nagar filter beds by then Nizam for State of Hyderabad, and, till 2024 when Hon'ble Deputy Chief Minister Government of Telangana declared the said lake as 100% encroached through Planning Department TGRAC documents.

x. Apparently, serious irregularity by TGRERA, TGIIC, TGPCB, SEIAA/SEAC, Collector RR, I&CAD RR, and all concerned authorities/officials who had given ultra-vires reports and permissions in a water body, prohibited by S-22 as well as by GO M.S.No. 33 as no conversional and non-constructional, hence investigation mandatory.

xi. xi. As the project cost involved is around Rs.2000 crores an immediate criminal probe be ordered so that public money and natural resource may be protected."

12. 1st respondent filed a preliminary Counter, *inter alia*, contending that the Complainant has no *locus standi* to maintain the complaint as she does not qualify as an 'aggrieved person' under the provisions of the Act, 2016. That no cause of action arises or no legal injury is suffered by the Complainant in order to claim the status of an "Aggrieved Person". Section 31(1) of the Act, 2016 read with Rule 34 of the Rules, 2017 explicitly provides that a Complaint may be filed by an 'aggrieved person' in cases of violation or contravention of the provisions of the Act, Rules, or Regulations against a promoter, allottee, or a real estate agent. It was further contended that the phrase "aggrieved person" has to be construed in the context and purpose of the Act, 2016 and would encompass a person whose rights as an allottee, promoter or real estate agent or person governed by the Act is infringed. That the phrase "aggrieved person" cannot be stretched on harmonious reading of all the provisions of the Act and objective of the Act to mean that any person who alleges violation of

various laws by the developer can approach the Regulatory Authority under Section 31(1) of the Act. In support of his contention, he relied upon a judgment of the Hon'ble High Court of Bombay in **Dr.Yogesh Keshav Bele vs. Maharashtra Real Estate Regulatory Authority (S.A.No.432 of 2023)**

13. Further, respondent No.1 also relied upon the judgment of the Telangana Real Estate Regulatory Authority in the case of A. Chandrasekhara Reddy vs. M/s. Ashrita Group (Complaint No.654 of 2022) vide its Order dated 02.03.2024, wherein it was held that a Complainant who is neither an allottee, nor an agent, nor a promoter, nor a landowner in the Project-Subject Matter of the Complaint, lacks locus standi.

14. The second plea taken by respondent No.1 is that the Non - Existence of Waterbody in SY. No. 271, 272 and 273 of Puppalguda, had already been determined by Competent Forum, i.e., National Green Tribunal, South Zone. Respondent No.1 further contended that the Complainant filed an Application before the Hon'ble National Green Tribunal, South Zone (hereinafter referred to as "NGT") vide Original Application No. 72 of 2020 (hereinafter referred to as "OA No. 72 of 2020") against the State of Telangana & Others, in respect of the land under

Development by respondent No.1, alleging that 'Narsingi Lake- 2' is a lake situated in Sy. No. 272, 273 and 274 of Puppalguda Village, Gandipet Mandal, Ranga Reddy District, which was purportedly encroached along with destruction of Bhulkapur Nala and sought a relief of restoration of the said "Narsingi Lake - 2" and Bhulkapur Nala amongst various other directions. Respondent No.1 filed a detailed reply in the said O.A No. 72 of 2020 bringing on record various documents since 1950 onwards, such as Sethwar, Khasra Pahanis, official correspondences, etc., as to how the said lands were always private "Patta" lands and that there never existed a water body in the said land. It was further contended that the learned NGT had also constituted a Joint Inspection Committee comprising of District Collector, Rangareddy, a Senior Official from the Ministry of Environment, Forests and Climate Change (MoEF&CC), Regional Office, Chennai and a Senior Officer from the Lake Protection Committee and that the Joint Inspection Committee submitted their findings to the Ld. NGT, which are summarized as under:

a. No Water Body Existence: Upon examination of satellite images from 1990 onwards, no lake or water body was found in the specified location (Survey Nos. 271, 272, and 273 of Puppalguda Village, Gandipet Mandal, Rangareddy District).

b. Revenue Records: The pre-independence revenue records were not available, but the Seth war (considered a pre-eminent official record) and subsequent Phani's and village maps from 1942 classified the land in Survey Nos. 272, 273, and 274 as Patta land, which was under cultivation and assessed as dry land for revenue purposes.

c. Physical Inspection: During physical inspection, no water body was found in the said location. The land was identified as Patta land, and there was no evidence of a lake or water body.

d. Bhulkapur Nala: The Bhulkapur Nala was found flowing from west to east on the north side of the site, and it was intact without any encroachments or dumping of debris.

e. Master Plan Anomalies: The HMDA Master Plan listed Narsingi Lake 2 with Lake ID 2939, but it was noted that this lake was not recorded in the revenue records and did not exist on the field as reported by the Collector.

f. Government Orders: The Government of Telangana had issued orders (G.O. Ms. No. 260 dated 26.10.2019) confirming the change of land use from partly water body and recreational use to multipurpose use for the lands in Survey Nos. 271 to 274.

g. No Evidence of Lake: The Joint Committee concluded that there was no water body in the said survey numbers at any point in time, corroborated by satellite images, Google maps, and irrigation and revenue records.

h. Nodal Officers: The State Government had appointed Additional Collectors as nodal officers to identify lakes based on revenue and irrigation records and to resolve discrepancies, with the exercise still in progress.

i. Overall, the Joint Committee found no evidence to support the existence of Narsingi Lake-2 in the specified survey numbers.

15. It was further contended that the learned NGT also directed the Joint Committee to verify the satellite images furnished by the National Remote Sensing Centre, Hyderabad (NRSC) from 1990 every 05 years, monsoon and non-monsoon periods with the given longitude and latitude corresponding to Sy. Nos. 271 to 274 Puppalguda Village. The Committee reported that, upon examination of the satellite images no lake or water body is located on the said location under question. It was further contended that the Ld. NGT found that there was no evidence to support the existence of Narsingi Lake-2 in Survey Nos. 271, 272, 273, and 274 of Puppalguda Village. The Joint Committee's report, satellite images, and revenue records all indicated that there was no lake or water body in the specified location. The HMDA Master Plan's listing of Narsingi Lake-2 with Lake ID 2939 was noted to be incorrect, as it was not recorded in the revenue records and did not exist on the field. It was submitted that since the Ld. NGT concluded that there was no water body or lake in the specified survey numbers, the question of demarcation of the inflow or outflow channel, FTL boundary, and buffer zone did not arise. The project proponent was found to be constructing the project after obtaining

necessary clearances and was not encroaching on any water body or buffer zone. Respondent No.1 highlighted the findings of the learned NGT as under:

> "From the above, it is evident that the contention of the applicant that there existed a lake by name Narsingi Lake- 2 is not substantiated by the revenue and other Government records. Moreover, a verification of the satellite imageries by the District Collector as well as the Joint Committee in conjunction with field inspection reveals that in the said survey numbers, there is no lake by name Narsingi Lake 2. The fact that there is no mention of the water body in the said survey numbers is evident in the note of notification of the HMDA relied upon by the applicant. Therefore, we hold that in Sy. Nos. 271, 272, 273 & 274, as reported by the Revenue Authorities and the Joint Committee, there is no water body or lake and Issue No.1 is held accordingly. Inasmuch as the claim of the presence of water body in Sy. No.271 to 274, where the 8th respondent is undertaking his project, is not substantiated by the revenue records, the question of construction of their project in the water body does not arise. Moreover, the project proponent has assured that he will abide by the terms and conditions imposed by the Irrigation Department while granting the NOC for the construction of the project and will not put up any structures in the buffer zone as stipulated in the NOC. Inasmuch as the project proponent is constructing the impugned project after obtaining necessary clearance from various authorities, it cannot be said that it is being constructed in a water body or in a buffer zone. It is also

> to be noted that the construction of the said project in the said survey numbers, for which, the EC has also been obtained is being undertaken after obtaining necessary approvals from various Government Agencies, including the Municipal Administration and Urban Development Department. Neither the said land use conversion orders of the Government issued in the year 2019 has been challenged by the applicant nor that can be entertained by this Tribunal for want of jurisdiction. . In view of the detailed discussions made above, we hold that no case could be made out that there existed a lake viz., Narsingi Lake 2 in Sy. Nos.272, 273 & 276 of Narsingi Village, Rajendranagar Mandal, Ranga Reddy District, State of Telangana. Therefore, the prayer of the applicant to restore the Narsingi Lake 2 in Sy. Nos.272, 273 & 276 is not legally feasible. In view of the above discussion, the Original Application is dismissed."

16. Respondent No.1 further contended that the Complainant preferred a Civil Appeal before the Hon'ble Supreme Court vide Diary No. 12490 of 2024 against the dismissal of O.A No. 72 of 2020, in which pleadings have been completed. It was submitted that the Hon'ble Supreme Court has not interfered with the findings of learned NGT until date and the said findings of NGT vide its judgment dated 10.08.2023 are still in force and that until the said findings are reversed, there exists no water body in SY. No. 271 ,272 and 273 of Puppalguda Village and that no other authority can determine contrary to the findings of the learned NGT

unless otherwise permitted under law. Accordingly, the said issue has attained finality, subject to the determination by the Hon'ble Supreme Court, rather no other body/authority can re-determine these issues of alleged existence of water bodies, as it is seized of by the Hon'ble Supreme Court of India. It was further contended that the Complainant is estopped by law from making repeated submissions of her allegations after such detailed findings by the learned NGT, especially when she has exercised her right to Appeal and the Appeal is pending before the Apex Court. It was, therefore, contended that the present complaint is not maintainable on the issue of locus as well as factual issues as have been decided by a competent Tribunal and that as on date, the Project Proponent is in compliance with all the necessary updates as required under the Act, 2016 in all aspects, including updating litigation information and prayed to dismiss the complaint with exemplary costs.

17. Respondent No.2 filed a memo adopting the contentions as raised by respondent No.1 in its Counter.

18. Respondent No.3 filed a reply, *inter alia,* contending that as per the Shetwar of Puppalguda village, Gandipet Mandal, Sy.No.271 to an extent of Ac.2.03 gts, Sy.N.272 to an extent of Ac.6.39 gts and Sy.No.273 to an extent of Ac.17.28 gts, Khatedar's name was shown as Abdul Hysa

Khadri. That in subsequent pahanies, various sale transactions had been made to various individuals and their names were recorded in the revenue records. Thereafter, as seen from the Faisal Patti for the year of 1975-76 of Puppalguda village, it reveals that the lands in Sy.No.271 (2.03), 272 (6.39) and 273 (9.17) etc, were granted in favour of Alimoddin, vide file bearing No. LRW/155/1975 and same was recorded in revenue records and in the subsequent pahanies, the names of his LRs were recorded. Further, as seen from the IGRS website various transactions had taken place during the year 2005 to 2023 and mutation proceedings were also issued in favour of purchasers. He further contended that one V.Ramchandar Rao applied for Occupancy Rights Certificate before the then R.D.O, Chevella Division for the lands in Sy.Nos. 271 (2.03), 272 (6.39) and 273 (9.17) etc of Puppalguda village basing on the sale deed Nos. 15617/2005, dated 17.10.2005 & 15206/2005, dated 08.10.2005 and same was granted, vide file bearing No. L/4223/2008, dated 21.08.2009. Aggrieved by the same, one Mohd. Gayasuddin S/o, Chinimiya and three others filed Civil Revision Petition before the Hon'ble High Court for the State of Telangana at Hyderabad in C.R.P No.1241 of 2019 with a prayer to suspend the proceedings of the Revenue Divisional Officer, Chevella Division, R.R. District in file No. L/4223/2008 Dt: 07.02.2009, whereby

ORC was granted in favour of Respondents Nos. 1 and 2, V. Ramchandar and V.K Vishwanatham in respect of land to an extent of Ac..8.11 Gts in Sy.Nos.271, 272 & 273 of Puppalguda Village, Gandipet Mandal, R.R. District and that the Hon'ble High Court disposed of the case on 16.12.2024.

19. Respondent No.3 further contended that as seen from the Dharani portal, the name of M/s. Phoenix Global Spaces Pvt Ltd has been recorded against the Sy.No.272 to an extent of Ac.6.39gts and Sy.No. 273 to an extent of Ac.9.19 gts of Puppalguda village, Gandipet Mandal and remaining extents were recorded on various individual names. As per the physical possession of the lands in Sy.No.272 & 273 of Puppalguda village of Gandipet Mandal, M/s Phoenix Global Spaces Pvt Ltd has been taking construction activity. It was further contended that the Complainant has filed O.A No. 72 of 2020 (SZ) before the NGT Southern Zone, Chennai. In pursuance of the said case, the learned NGT constituted a Joint Inspection Committee, vide its Order dated 21 May, 2020, comprising of three persons, i.e. District Collector, Ranga Reddy, a senior official from Ministry of Environment Forests and Climate Change (MoEF&CC), Regional office, Chennai and a Senior Officer from Lake Protection Committee, to inspect the area in question i.e., Sy.No.271 to274,

Puppalguda (V) and submit a status as well as action taken report. The said report was filed before the NGT on 21.02.2022, observing to the following effect:

i. The Joint Committee comprising of the Special Deputy Collector, Land Protection, Collectorate Rangareddy (representing the District Collector, Rangareddy District), Scientist C, Member, Ministry of Environment Forests, and Climate change (MoEF&CC), Executive Engineer, Lakes Division, Hyderabad Metropolitan Development Authority (HMDA), Director Planning - I, HMDA, have inspected the area on 07.10.2020 at 9.00 AM.

ii. The Joint Committee has inspected the area under question at Longitude 17°24'5.54"N and Latitude 78°21'22.85"E, where the alleged dumping of construction waste is taking place. This location corresponded with Survey nos. 272, 273 and 274 of Puppalguda village.

iii. The Joint Inspection Committee was provided with the following documents, as were made available to it by the relevant authorities:

a. Letter of the Executive Engineer, North Tanks Division, addressed to the District Collector, Ranga Reddy District dated 24.05.2008 vide Lr.No.DB/EE/NTD/911, wherein the Executive Engineer stated that he got conducted a physical inspection in the site at Sy.No.271 to 274, Puppalguda (V) on 08.05.2008 and it was reported that there were no water bodies existing in the said survey Nos.

b. The letter of the Joint Collector, Rangareddy (D) Lr.No. E1/2792/2008 dated 17.07.2008 clarifying to the Vice Chairman, Hyderabad Urban Development Authority (HUDA), later called HMDA that, upon the enquiry got done through his office, the Sy. Nos. 271 to 274 admeasuring Ac.26- 35Gts. of Puppalguda (V) are Patta Lands and that there are no water bodies existing in the said survey nos. as per the existing revenue records and

also recommended for change of land use from recreational zone to multiple use Zone.

c. The Gazette Extraordinary No.54, MA&UD Dept. (I) dated 04.02.2010, wherein objections were invited from the general public on the revised draft variation to the master plan of the HMDA for change of land use of the land from partly water body use and partly recreational (green buffer zone) use to multipurpose use in Puppalguda Village and also the said aspect of nonexistence of water bodies was referred in the said Gazette Notification issued by the Principal Secretary, MA&UD.

d. Report, dated 06.08.2013, bearing Lr.No. EE/NTD/DB/DEE3/HD/2013/1281/1126 submitted by the Executive Engineer, North Tanks Division to the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority (HMDA), referring to multiple correspondences of various departments and also as per the physical inspections got carried on by his office, it was reported that there were no water bodies existing in Sy. Nos.271 to 274 admeasuring an extent of Ac.26-35 Gts. situated at Puppalguda (V) and that the said lands are Patta lands.

e. The G.O.Ms.No.240 dated 05.09.2019, MA&UD (Pig.Ill) Dept., the Government of Telangana MA&UD Dept. published in the Extraordinary issue of the Telangana Gazette, dated 06.09.2019, had notified the lands in Sy.Nos.271, 272, 272/1, 273, 273/1 and 274 admeasuring Ac.26-35 Gts., in Puppalguda (V) to include in adjoining Industrial Area Local Authority [The said land for developing IT Parks/SEZS IALA and Puppalguda IALA Industrial townships].

f. The Government of Telangana, through G.O.Ms. No.260 (MA&UD (Pig.I) Dept.) dated 26.10.2019, approved a change in land use for the land in Survey Nos. 271 to 274, measuring Ac. 26-35 Gts. in Puppalguda (V). The modification was made from partly water body and recreational (green buffer zone) to multipurpose use, based on the remarks of the Joint Collector and the Executive Engineer (Irrigation) regarding Survey Nos. 272, 272/1, 273, 273/1, and 274. It was confirmed that these survey numbers are Patta Lands, and as per Revenue records, no water body exists in these Patta Land survey numbers. The

revised land use zone notification was published in the Extra-ordinary issue of the Telangana Gazette on 27.10.2019.

g. The Metropolitan Commissioner, HMDA, through a letter dated 06.01.2020 bearing Lr.No. 5324/MP1/Plg./H/2008, addressed to the Principal Secretary, MA&UD, informed about the publication of a public notice in two daily newspapers in accordance with the provisions of the HMDA Act, 2008. The letter also communicated compliance with the same.

h. In the village map of Puppalguda village furnished by the Officials of the office of the District Collector, Ranga Reddy District, there is no depiction or mention of lake or water body in the area in question.

i. List of Lakes/water bodies identified in the HMDA area available in HMDA website where in Narsingi Lake-2 is listed without survey number details, falling in Narsingi Village of Rajendranagar Mandal, Rangareddy District, Latitude 17.40058 Longitude 78.35664 is mentioned at SI.No.248 given a lake ID 2939 with a foot note saying "This lake is not recorded in the Revenue Records and also not existing on the field (as reported by the Collector)".

j. Various notifications issued periodically by Lake Protection Committee, HMDA notifying the lakes after survey and fixing of FTL boundaries along with maps showing FTL co-ordinates.

iv. Further, having examined the afore-mentioned documents and also upon the physical survey and also in its correspondence with the Government, the Joint Committee observed that:

a. The Joint Inspection Committee has gone through all the documents and all the records and documents indicates that the lands in Sy.Nos.271, 272 272/1, 273, 273/1 and 274 in Puppalguda (V), Rajendranagar Mandal, Ranga Reddy District are private patta lands and there was no lake or water body

existing in the said lands as per Revenue, Irrigation and HMDA, except for the HMDA Master plan.

b. Neither Puppalguda nor the adjoining Narsingi village maps or revenue records mention the existence of Narsingi lake-2. The Lake Protection Committee and other State Government authorities could not explain as to how the name Narsingi Lake2 has come up in the Lake List prepared by HMDA or the basis for its inclusion in the list.

c. It was also mentioned that the list is only preliminary, prepared for the purpose of undertaking survey by the consultant and fix FTL boundaries and only those lakes where survey and fixation of FTL boundaries is complete, have been notified vide different notifications notified in District Gazette, over a period of time, which are posted on-line for all public to see and be aware of.

d. It was mentioned that even though the name of Narsingi lake-2 was included in the preliminary list of lakes to be surveyed and fix FTL boundaries, upon physical verification no water body found at the defined site.

e. Upon physical inspection of the said area there was no lake or water body found in the said area and no dumping of demolition waste. Historically these lands were under paddy cultivation, which might have been stopped due to urbanization of surrounding areas.

f. That a canal by name Bhulkapur Nala is seen flowing from west to east on north side of the site. The Nala is found intact without any encroachments or dumping of debris. The Committee felt that the buffer zone along the nala should be

demarcated and maintained as per G.O Ms No. 168 dated 07.04.2012.

g. In compliance of the directions of the Ld. NGT, the Committee has requested all concerned departments of the state government to provide information about the schemes, if any launched by the state of Telangana for the purpose of protecting the water bodies in the state, including removal of encroachment, fixation of FTL and buffer zone, including this lake and making the water bodies free of pollution and encroachment, to which the State Government had responded that they are already seized of the matter as they are dealing with numerous such cases where serious anomalies noticed between physical condition of lands, revenue, irrigation records and HMDA master plan showing water bodies and list of lakes for protection prepared by them previously. It was further informed that the Master Plan 2031 contained lot of factual errors, therefore the State Government is contemplating review of the lakes list by conducting fresh survey and rectify the List of Lakes to be protected and the HMDA master plan accordingly. As soon as the orders are issued the Joint Inspection Committee will be informed and file their response before the Tribunal in- terms of the Hon'ble Tribunal's orders at para 12 of the order dated 21.05.2020.

h. It is informed by the State Authorities that the Government of Telangana in its G.O Ms. No. 74 dated 24.04.2021, noting that discrepancies exists between various records issued orders appointing Nodal Officers stating that "due to the discrepancies in the certification of FTL of maps of lakes / water bodies/ tanks by the Irrigation Department and certification of correctness of

survey numbers of corresponding lakes/ water bodies/ tanks by the revenue department the issue of final notification by the HMDA is getting delayed. Government accordingly appointed Additional Collectors (local bodies) of Hyderabad, Rangareddy, Medchal Malkajgiri, Yadadri Bhongiri, Medak, Sangareddy and Siddipet districts as Nodal Officers and entrusted the responsibility of field work of the Lake Protection Committee showing the lakes to the consultants physically, resolving the discrepancies/errors in FTL maps of Irrigation department and revenue statements and cadastral maps of revenue department, coordinating and attending meetings convened by HMDA at all stages till final notification. They must work with the HMDA and appointed consultant on all related works closely to complete the final notification process for all the identified lakes at the earliest."

i. It was further submitted that, as on the date of filing the report, the work was under progress across the State for resolving the discrepancies/errors in FTL maps of Irrigation department and revenue statements and cadastral maps of revenue department and complete the final notification process for all the identified lakes after proper survey.

j. The Joint Inspection Committee, on the basis of afore-mentioned facts/records and physical inspection concluded that the said report stating that the Joint Inspection Committee finds no water body or any activity of dumping of demolition waste in the area in question and that the said area does not appear to have been a waterbody at any point of time earlier. In view of there being no water body and no dumping activity, its corresponding violation not found, hence there were no remedies suggested/implemented in the instant issue.

20. Respondent No.3 further contended that the very first step in the process to include lake in a lake list, is to give a lake ID to the lakes identified from the GIS/Satellite data. The lake ID is to be corrected based on the feedback received in the instant case, lake ID 2939 and the name Narsingi lake-2 was given to a particular location on the GIS map. Respondent No.3 further submitted that it's a well-known fact that, in Telangana State, lake names end with Cheruvu/Kunta/Talab but not an English word like Lake, much less Lake-2. Further, while naming the unidentified locations, temporary names like Narsingi Lake-1,2,3 etc with lake IDs were given. The location of the said Narsingi lake-2 falls in Poppalaguda village and not in Narsingi, the neighboring village. Further, it was submitted that after the preliminary survey, the consultants have reported back stating that "the lake is not recorded in the Revenue Records and also not existing on the field as reported by the Collector". This goes to show that the said Narsingi lake-2 with lake ID 2939 exists neither physically on the field nor in the Irrigation and Revenue Records and, therefore, it has not even been notified preliminarily. Respondent No.3 further contended that after numerous such cases being noticed, the State Government reversing the earlier process followed by HMDA, issued a G.O vide G.O.Ms.No. 74 dated 24-

04-2021 appointing Additional Collectors of Districts as Nodal Officers to identify lakes based on the Revenue & Irrigation records/and after field survey, superimpose the same on GIS maps to resolve or reconcile the discrepancies. Such exercise was in progress. Further, Respondent No.3 submitted that the Hon'ble NGT has disposed of the case No. OA No.72 of 2020 (SZ) and aggrieved by the NGT orders, Complainant filed Civil Appeal before the Hon'ble Supreme Court of India vide Diary No. 12490 of 2024 and the same is pending for adjudication.

21. Respondent No.4 filed a reply, *inter alia*, contending that the complainant alleged that M/s Phoenix Global Spaces (P) Ltd., situated in Sy. No's 271, 272, 272/1, 273, 273/1 & 274, Puppalguda (V), Gandipet (M), RR District, which is under the TGIIC – IALA, has encroached and disturbed water bodies, i.e., Narsingi Lake -2 bearing HMDA Lake Id 2939 and Bhulkapur Nala, to reclaim the water body into multipurpose zone for the purpose of construction activity in prohibited area and thus contravened the existing rules and also suppressed information in the TG RERA Form "B" application form that the site is under litigation and that a case was filed before the National Green Tribunal, Chennai, vide O.A.No.72 of 2020 and that an appeal is pending before the Hon'ble Supreme Court vide Diary No.12490/2024. In this regard, respondent

No.4 contended that as per the Orders in I.A. No. 39 of 2020 & O.A. No. 72 of 2020 and also the pending case in the Hon'ble Supreme Court, vide docket No.2490/2024, TGIIC is not a party/respondent in the said O.A. and that there are no such orders passed by the NGT restraining TGIIC to issue Building Permit Orders. It was further contended that the Executive Engineer, I & CAD Department, Irrigation Division No.1, vide letter, dated 17.08.2021, has given attested location sketch showing the extent of land affected in the Sy Nos. 272 & 273 duly showing the 9M Nala buffer zone on Northern side and a buffer zone of 30M abutting to Heritage Pipeline in the said survey numbers. Further, the Complainant has also made certain allegations against MD, TGIIC that two BPOs are issued on the same site area and on area under litigation and on falsified GPA Agreements/Landowners documents. In this regard, respondent No.4 submitted that, based on the documents submitted by M/s. Phoenix Global Spaces Pvt Ltd., it was noticed that the landowners of this 10.50 Acres, Kothakapu Nagireddy and 11 other family members, have made a development agreement with M/s. Phoenix Global Spaces Pvt Ltd., vide Doc No.6581/2019, dated 02.03.2019, for development of IT/ITES office building. Government of Telangana MA & UD vide G.O.Ms.No. 240, dated 05.09.2019, has included Sy.Nos. 271, 272, 272/1, 273, 273/1 & 274

Puppalaguda in TGIIC - IALA for development of IT Parks/SEZs/IT/ITES office Spaces and subsequently, Gazette notification was released by the Principal Secretary to Government on 06.09.2019. Vide G.O.Ms.No. 260 MA & UD, Dt:26.10.2019 the usage of above Sy.Nos. 271, 272, 272/1, 273, 273/1 & 274 to an extent of Acres 26.35 Gts was changed from Partly water body use and partly recreational (Green Buffer Zone) use to multipurpose use. It was contended that while taking into consideration of all the above documents submitted by M/s. Phoenix Global Spaces Pvt Ltd., the MSB (Multi storied building committee) was held on 27.08.2021 and the application was scrutinized by the committee and approval was issued. Upon approval of the application in the Multi storied building Committee, a fee intimation letter was issued to M/s Phoenix Global Spaces, on 06.09.2021, for the payment. On payment and submission of all the documents, the technical approval was issued on 01.10.2021. It was also submitted that based on the Technical Approval, dated 01.10.2021, and all the mandatory documents, clearances and NOC's issued by the various line departments viz Fire Dept, Airport Authority of India, State level Environment Impact Assessment Authority (SEIAA) and major clearance issued by the EE, I&CAD stating that there is no presence of Narsingi Lake in Sy.Nos. 272 & 273, the Building Permit

Order Vide permit No. IIC/0229/2021, Dt: 06.10.2021 was issued by the Zonal Manager & Executive Officer, TGIIC Cyberabad.

22. After hearing the parties and perusing the entire material available on record, the learned Regulatory Authority, vide impugned order, dated 27.03.2025, disposed of the complaint filed by the appellant/complainant as stated supra.

23. Feeling aggrieved and dissatisfied with the aforesaid order, dated 27.03.2025, the present appeal has been preferred by the appellant/complainant.

24. We have heard the appellant/complainant and the learned Counsel appearing for respondents and have gone through the entire material placed on record along with written submissions filed by them.

25. The point that arises for consideration in this appeal is as under:

*"Whether the impugned order, dated 27.03.2025, passed by the learned Regulatory Authority is sustainable in law?*

**POINT:**:

26. The moot question which requires to be examined in the present appeal is whether the appellant can be said to be an 'aggrieved person' for filing complaint under Section 31 (1) of the Real Estate (Regulation and

Development) Act, 2016 (for brevity 'the Act') and pursue her remedies under the said Act.

27. Learned Counsels for respondents 1 and 2 have raised preliminary objections as to the maintainability of the complaint, under Section 31 (1) of the Act, as well as appeal under Section 44 (1) of the Act by the appellant/complainant and to substantiate the same, they relied upon a decision rendered by the Hon'ble High Court of Bombay ***in Yogesh Keshav Bele Vs. Maharashtra Real Estate Regulatory Authority***[3], wherein it was held as under:

> "On a harmonious and holistic reading of various above-referred provisions of the RERA Act, in my view, a person who is not at all connected with the project of the promoter since he had not booked any flat in the said project cannot be said to be an "aggrieved person" under Section 31(1) for filing complaint. The Explanation to Section 31(1) provides that "person" shall include the association of allottees or any voluntary consumer association registered under any law for the time being in force. The "aggrieved person" under the RERA Act could be an allottee or real estate agent or promoter or association of allottees or any voluntary consumer association registered under any law for the time being in force. A person who is not at all connected or interested in the project but seeks to redress his private grievances as a person occupying the adjoining land next to the

[3] 2023 SCC Online Bom 1849

project cannot be said to have any locus to file a complaint and redress his private grievances by taking recourse to the RERA Act. The remedy of such a person lies somewhere else and not before the Regulatory Authority under the RERA Act. The said view is based on a holistic reading of preamble to the Act and the various provisions which have been analysed above, which clearly point out that the phrase "aggrieved person" in Section 31(1) of the Act would be an allottee, promoter or real estate agent or association of allottees or registered voluntary consumer association. The phrase "aggrieved person" has to be construed in the context and purpose of RERA Act and would encompass a person whose rights as an allottee, promoter or real estate agent or person governed by the Act is infringed. The phrase "aggrieved person" cannot be stretched on harmonious reading of all the provisions of the Act and objective of the Act to mean that any person who alleges violation of various laws by the developer can approach the Regulatory Authority under Section 31(1) of the Act. In the instant case, admittedly the Appellant is not an "allottee" in the project being developed by respondent No. 3. The allegation made by the appellant are with respect to violation of various laws by the developer in the development of the project. The grievance appears to be made in the nature of private or public interest and not what is governed and regulated by the RERA Act."

28. ***In Bar Council of Maharastra Vs. M.V.Dabholkar[4],*** the Hon'ble Supreme Court has expounded the definition of an 'aggrieved person' in Paragraph Nos.27 and 28 of its judgment, which reads as under:

> "The words 'person aggrieved' are found in several statutes. The meaning of the words 'person aggrieved' will have to be ascertained with reference to the purpose and the provisions of the statute. Sometimes, it is said that the words 'person aggrieved' correspond to the requirement of *locus standi* which arises in relation to judicial remedies."
>
> "Where a right of appeal to courts against an administrative or judicial decision is created by statute, the right is invariably confined to a person aggrieved or a person who claims to be aggrieved. The meaning of the words 'a person aggrieved' may vary according to the context of the statute. One of the meanings is that a person will be held to be aggrieved by a decision if that decision is materially averse to him. Normally, one is required to establish that one has been denied or deprived of something to which one is legally entitled in order to make one 'a person aggrieved'. Again, a person is aggrieved if a legal burden is imposed on him. The meaning of the words 'a person aggrieved' is sometimes given a restricted meaning in certain statutes which provide remedies for the protection of private legal rights. The restricted meaning requires denial or deprivation of legal rights."

[4] (1975) 2 SCC 702

29. ***In Ayaaubkhan Noorkan Pathan Vs. State of Maharastra,*** the Hon'ble Apex Court in paragraph No.9 held that "it is a settled legal proposition that a stranger cannot be permitted to meddle in any proceeding, unless he satisfies the authority/Court, that he falls within the category of aggrieved persons. Only a person who has suffered or suffers from legal injury can challenge the act/action/order, etc., in a Court of law."

30. The appellant/complainant has relied on a decision of the Odisha Real Estate Appellate Tribunal in OREAT Appeal No.17 of 2023, dated 28.11.2025,[5], wherein it was held as under:

> "A combined reading of Section 2(zg) and Section 31(1) of the Act, therefore, makes it clear that an individual who is not an allottee may also file a complaint under Section 31(1) of the Act, if he or she is aggrieved by any violation or contravention of the provisions of the Act, or the Rules and Regulations made thereunder against any promoter, allottee or real estate agent. So, the requirement under Section 31 (1) of the Act is that the respondent of a complaint must be either a promoter or an allottee or a real estate agent. This is, however, not the vice versa in the case of a complainant, who may be any one among Section 2(zg) of the Act apart from the registered association of allottees or the registered voluntary consumer association as per the

[5] (2025) ibclaw.in 533 REAT

explanation under Section 31 (1) of the Act. It is, therefore, to be concluded that, the contention of the respondent No.1 in the petition dated 11.10.2022 challenging the maintainability of the complaint case as well as in the written show cause to the appeal memo that an aggrieved person under Section 31 (1) of the Act is restricted only to mean and include allottees, association of allottees or any voluntary consumer association registered under any law for the time being in force, is misconceived. The appeal being an 'individual' under Section 2 (zg) (i) of the Act and alleging contravention of Section 7 (1) ( C ) of the Act is undoubtedly entitled to file the complaint case against the respondent No.1/promoter and others, because she is aggrieved by the grant of registration certificate in favour of respondent No.1 in respect of the whole of the plot NO.280 of Khata No.412/383, of which her purchased land under Plot No.280/2791 in Khata No.412/542 is a part."

31. For brevity and better understanding of the matter, it is relevant to reproduce Section 31(1) of the Act, which reads as under: -

"31. Filing of complaints with the Authority or the adjudicating officer: - (1) Any aggrieved person may file a complaint with the Authority or the adjudicating officer, as the case may be, for any violation or contravention of the provisions of this Act or the Rules and Regulations made thereunder against any promoter, allottee or real estate agent as the case may be.

Explanation: - For the purpose of this sub-section "person" shall include the association of allottees or any voluntary consumer

association registered under any law for the time being in force.

(2) The form, manner and fees for filing complaint under subsection (1) shall be such as may [Prescribed].

32. On a careful reading of the complaint, it is clear that the appellant/complainant is not an 'allottee/purchaser' in any of the projects of respondent Nos.1 and 2. The grievance of the appellant/complainant is to revoke the registrations/permissions granted by the Regulatory Authority to respondents 1 and 2 respectively in respect of two different projects on the primary ground that the Lake by name 'Narsingi Lake-2', which was existed on the subject land, had been encroached upon by the respondents and as such the same may be restored by initiating stringent action against the respondents.

33. Section 31 (1) of the Act uses the expression 'any aggrieved person'. The word 'person' is defined under Section 2(28), but in Section 31(1) the said word 'person' is further qualified by 'aggrieved'. It is a settled legal proposition that a stranger cannot be permitted to meddle in any proceedings unless he/she satisfies that he/she falls within the category of 'aggrieved person'. Only a person who has suffered legal injury can challenge the act/action/order in a Court of law. A 'legal right' means an entitlement arising out of legal rules. The phrase 'aggrieved person' used

in Section 31(1) of the Act would mean a person who is regulated or governed by the said Act and there is an injury of the right conferred under the said Act. The phrase used in Section 31(1) is "any aggrieved person" and not "any person".

34. In the present case, the appellant/complainant, has not placed on record any material nor has filed any supporting documents on record before the Regulatory Authority or before this Tribunal to establish that she was denied or deprived of something to which she was legally entitled in order to categorise her as an "aggrieved person" and as such, we are of the considered view she cannot be said to be an "aggrieved person" to take recourse to Section 31(1) of the Act. The appellant/complainant can at the most lead evidence as a witness but she cannot claim the status of an adversarial litigant. The appellant/complainant cannot be a party to the *lis* because no legal right is conferred on her by the Act. Thus, from the above analysis, it is evident that the appellant having no concern whatsoever cannot be said to have any locus standi to knock the doors of the Act for redressal of her grievances.

35. A bare perusal of the judgment of Orissa Real Estate Appellate Tribunal in OREAT Appeal No.17 of 2023, relied upon by the

appellant/complainant, makes it clear that the complainant therein possessed a right, title and interest in respect of the tract of land for which the project registration has been erroneously granted. Therefore, the complainant in that matter necessarily be an aggrieved person having suffered injury on account of such registration, albeit not being a consumer or an allottee. In the present case, admittedly, no such element of ownership exists and as such the said judgment renders no assistance to the appellant/complainant.

36. Further, without even passing the threshold of maintainability of the complaint, the appellant/complainant has agitated the following issues:

> (i) Alleged existence of a lake/water body (ii) alleged inclusion of lands in a prohibited properties list under the Registration Act and Revenue law; (iii) alleged irregularities in building permissions/approvals and (iv) alleged irregularities in appointments/administration of the Authority.

37. The aforesaid issues, if at all, arise under other enactments and fall within the jurisdiction of other component fora, by no stretch of imagination, within the scope of the Act. Even if the said allegations are assumed to be true, they cannot be adjudicated or remedied under the Act when they fall outside the Act.

38. The contention of the appellant/complainant is that a lake named "Narsingi Lake-2" exists on the subject land under development by the respondents 1 and 2. However, the said issue was already adjudicated by the Hon'ble National Green Tribunal, Southern Zone, Chennai, in O.A.No.72 of 2020, wherein it was categorically held that no case could be made out that there existed a Lake viz., Narsingi Lake-2 in Sy.Nos.272, 273 and 276 of Narsingi village, Rajendranagar Mandal, Ranga Reddy District and as such the prayer of the appellant/complainant to restore the Narsingi Lake-2 in the said survey numbers is not legally feasible and accordingly, the said O.A. was dismissed, vide judgment, dated 10.08.2023, with liberty to the appellant/complainant to approach the appropriate Nodal Officers and express her grievance. Thereafter, the appellant/complainant filed Civil Appeal No.12569 of 2024 before the Hon'ble Supreme Court and the same is pending adjudication. Thus, when the matter has been taken cognizance by the Hon'ble Supreme Court and is *sub-judice* and has not reached any finality, we are of the considered view that it cannot conclusively hold anything with respect to the said aspects.

39. So far as the allegation of the appellant/complainant that two different registrations have been granted to two different companies is

concerned, the learned Regulatory Authority has granted Registration No. P02400003565, dated 20.11.2021, to respondent No.1 for construction of commercial building in Sy.Nos.272/P, 273/P & 274/P at Puppalguda, Gandipet, Ranga Reddy District. Subsequently, respondent No.1 gave rights to respondent No.2, vide DAGPA bearing No.8150/2023, to construct a residential multi-storeyed building in the adjacent land bearing same survey numbers and accordingly Registration No. P02400008107 dated 29.04.2024 was issued in favour of respondent No.2 by the learned Regulatory Authority. Since the respondents 1 and 2 have duly complied with the relevant provisions of the Act and Rules, the learned Regulatory Authority has rightly granted registration certificates to the respondents 1 and 2 for commercial building and the residential complex in the same survey numbers. Further, the District Collector, Ranga Reddy District, vide letter, dated 10.01.2023, requested the Commissioner & Inspector General, Registrations & Stamps, Hyderabad, to issue necessary instructions to the District Registrar, Ranga Reddy District, for amendment of entries by de-notifying in Prohibitory list under Section 22-A of Stamps and Registration Act, in respect of lands to an extent of Ac.6-39 gts. in Sy.No.272/P and Ac.3-21 Gts in Sy.No.273/P

gts. Situated at Puppalguda village, Gandipet Mandal, Ranga Reddy District.

40. In the light of the aforementioned reasons, we do not find any justifiable ground or reason to interfere with the impugned order. Accordingly, the impugned order, dated 27.03.2025, passed by the learned Regulatory Authority is upheld.

41. In the result, the appeal is dismissed confirming the impugned order, dated 27.03.2025, passed by the learned Regulatory Authority in Complaint No.33 of 2025. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

Registry is hereby directed to transmit a copy of this order to the parties and learned Regulatory Authority as per section 44 (4) of the Act.

**Sd/-**

**A.SANTHOSH REDDY, J**
**(CHAIRPERSON)**

**Sd/-**

**VEMULA SREEKAR**
**(ADMINISTRATIVE MEMBER)**

29.10.2026
GSN.

**T.A.No.43 of 2025**

**Per**:: *Sri P. Pradeep Kumar Reddy (Hon'ble Judicial Member)*

I have perused the Orders of the Hon'ble Chairperson, and respectfully differ with the same as follows:

1. **CASE OF THE APPELLANT AND DOCUMENTS PLACED ON RECORD**

i. The Appellant filed the Complaint against the Respondents alleging that the Respondent No. 1 and 2 were separately granted registration numbers by Regulatory Authority for the projects located on the same survey numbers for the same area of the project (overlapping areas) and that these registrations are to be revoked as the project area of these two are overlapping. Further, it was also alleged that there was no permission for construction in the said areas for which registration was obtained as the same fell within the water body zone of Narsingi Lake – 2. It was also submitted that material facts were supressed by Respondent No.1 and Respondent No.2 while obtaining registration and the details regarding the pending disputes/litigation over the properties in these survey numbers were not disclosed.

ii. The Regulatory Authority dismissed the Complaint of the Appellant/Complainant holding that the Complainant is not qualified as an aggrieved person to maintain the Complaint. Further, it was also held that the Registration Numbers issued by Regulatory Authority to Respondent No.1 and 2 under the Act were proper. It was also observed that there was no suppression of the facts regarding pendency of litigation by the Respondent No 1 & 2 and that the Complainant is not entitled to any reliefs as sought for.

iii. It is the case of the Complainant that vide G.O. Ms. No.1092 dated 06.06.2025 issued by Revenue Department of Telangana, prohibition was imposed on Registration of government lands *inter alia* in the Survey Numbers 271, 272 and 273 located at Puppalguda Village, Rajendra Nagar Mandal, Ranga Reddy District with a view to prevent the destruction of Narsingi lake – 2 located in and around these lands. That earlier to this G.O., there was also a notification of the Government vide G.O. Ms. No. 33 dated 24.01.2013, issued by the Department of Municipal Administration and Urban Development which states that there cannot be any construction or development activity in the water body zones.

iv. It is the case of the appellant that pursuant to the approval of Metropolitan Development Plan-2031 of Hyderabad Metropolitan Region under Hyderabad Metropolitan Development Authority (HMDA) Master Plan, G.O. Ms. No.33 at Para 1.1.8 reiterates that the water body zone encompasses all the water bodies including rivers, streams, lakes and kunta lands. That as per the list of lakes and water bodies identified within the HMDA jurisdiction, the Narsingi Lake - 2 was also listed at Serial No. 248 among the 2,857 lakes identified by HMDA.

**Pending Litigations**

v. It is the case of the appellant that there are pending litigations in respect of Survey No. 271, 272, 273 and 274 of Puppalguda Village. That a case vide W.P. No. 36396 of 2017 is pending before the Hon'ble High Court of Telangana concerning the Occupancy Rights Certificate pertaining to these Survey Numbers.

vi. That in Civil Revision Petition No. 1241 of 2019 filed under Section 2B of The Telangana Area Abolition of Inams Act, 1955, an order dated 06.06.2019 was passed by the Hon'ble High Court of Telangana wherein the relief sought was to set aside the order dated 18.05.2019 in Case No. F1/14927/2018 passed by the Joint Collector,

Ranga Reddy District along with an earlier order dated 07.02.2009 in No. L/4233/2008 of the Ld. Revenue Divisional Officer, Chevella Division in respect of these Survey Numbers admeasuring Ac. 8.11 Gts in Puppalguda Village, Gandipet Mandal, Ranga Reddy District.

vii. That there was a caution notice dated 10.01.2021 issued by M/s. MALI Florex Limited raising claiming rights and interests concerning the land admeasuring 29 acres situated in Survey No. 262 to 274 of Puppalguda Village.

viii. Further, in violation of the existing rights and interests, certain landowners namely K. Muthyam Reddy, K. Nagireddy and K. Ratanga Pani Reddy entrusted the development of Ac. 10-20 Gts forming part of the schedule property to Respondent No.1. Suppressing the material facts regarding the claims over the land, Respondent No.1 executed 239 conveyance deeds in favour of third parties and transferred undivided shares of lands in contravention of the Act. That in addition, Respondent No.1 entered into development agreements with the purchasers. The notice dated 10.01.2021 stated that there are multiple cases pending over the

subject property and cautioned the public from entering into transactions relating to the property.

ix. On the other hand, the Government vide G.O. Ms. No. 240 (MAUD Plg-III) dated 05.09.2019, included the Survey No. 271, 272 273, 273/1 and 274 in Puppalguda Village under the jurisdiction of Industrial Area Local Authority (IALA) and by a subsequent G.O. Ms. No. 206 (MAUD Plg-III), the land in Survey No. 260 271, 272, 273, 273/1 and 274 was reclassified from Partly Water Body Use and Partly Recreational (Green Buffer Zone) to Multipurpose Use Zone. It is stated that this re-classification of the land was done basing on the report/remarks of the District Collector which stated that the lands in these Survey Numbers are patta lands and as per the revenue records, no water body existed within these survey numbers. But according to the Complainant, the report of the District Collector is incorrect and stated that there exists a water body named Narsingi Lake-2 in these Survey Numbers and hence the re-classification of the lands is illegal and not proper.

x. It was submitted that a case was filed by the Appellant/Complainant before the Ld. National Green Tribunal vide O.A. No. 72/2020, Southern Zone, Chennai, seeking the

protection of Narsingi Lake 2 (HMDA Lake) in the Survey Numbers by removing the encroachments and restoration of lake's hydrology. The same was disposed off by Ld. NGT and that Civil Appeal vide Diary No. 12490/2024 was filed before the Hon'ble Supreme Court wherein the Respondent No.1 was notified as a caveator.

**Environmental Clearance, Building Permit & RERA Registration**

xi. The State Environmental Impact Assessment Authority (SEIAA), Telangana, vide order no. SEIAA/TS/OL/RRD-576/2020-330 dated 06.08.2020, granted environmental clearance to commercial project of Respondent No.1 in Survey No. 272/1 and 273/1 of Puppalguda Village admeasuring 42,491.65 sq. mts with built-up area of 6,15,358.45 sq. mts.

xii. That on 06.10.2021, the Respondent No.4 herein issued building permit vide BPO No. IIC/0229/2021 in favour of Respondent No.1 allowing for development in Survey No. 22/P and 273/P covering an area of 42,492.1 sq. mts with a net area of 39,297.79 sq. mts. That on 20.11.2021, the Regulatory Authority issued Registration No. P02400003565 for the project named TRITON in Survey No. 272/P, 273/P and 274/P.

xiii. Further, SEIAA issued an Environmental Clearance (Amendment) Order No. SEIAA/TS/OL/RRD-914/2021 dated 18.04.2022 for the project covering an area of 42,494 sq. mts with a net area of 39,299.74 sq. mts and built-up area of 7,67,556.72 sq. mts designated as Commercial Office cum Residential Complex.

xiv. That on 27.02.2023, a consent for Establishment (Amendment) Order was issued. On 28.06.2023, Respondent No.1 executed a Development Agreement cum Irrevocable General Power of Attorney in favour of Respondent No.2 in the property under Survey No. 272P and 273P, wherein Respondent No.2 was granted the power to obtain all necessary permissions from government authorities, statutory bodies and other relevant agencies.

xv. On 28.07.2023, SEIAA issued an environmental clearance to Respondent No.1 for Residential cum IT/ITES Complex in Survey No. 272/1 and 273/1, Puppalguda Village with a revised built-up area of 6,24,330.92 sq. mts while the total project area remained at 42,494 sq. mts and the net area at 39,299.74 sq. mts.

xvi. That Respondent No. 4 issued an Order No. BPO/72/2023 granting permissions in favour of Respondent No.1 in Survey No. 272P and 273P with a total site area of 42,492.15 sq. mts. and net area of

39,297.89 sq. mts. That on 29.04.2024, TG RERA registered a project vide No. P02400008107 under the name "SUMADHURA PALAIS ROYAL" in the same survey numbers and site area.

xvii. The Appellant/Complainant sought *inter alia* the following reliefs:

> *i. To revoke the registration/permissions of TGRERA for Project TRITON having Registration No. P02400003565 dated 20.11.2021 and for Project SUMADHURA PALAIS ROYAL having Registration No. P02400008107 dated 29.04.2024.*
>
> ii. *Investigate into the illegalities committed by the Regulatory Authority in granting two project registration numbers to two different promoters for the same project are on same Survey Numbers without conducting any due diligence.*

## 2. CASE OF THE RESPONDENT

i. On the other hand, Respondent No.1 submitted that the Regulatory Authority, after detailed consideration, dismissed the Complaint of the Appellant properly and that the same requires no interference by this Tribunal. That the Appellant is not an allottee or a purchaser and also in no way interested in the project and hence, do not qualify as an aggrieved person to bring a complaint under the Act.

ii. That the findings of the Ld. NGT regarding the non-existence of Narsingi lake-2 in Survey No. 272, 273 and 274 of Puppalguda Village, Gandipet Mandal, Ranga Reddy District were challenged by the Appellant before the Hon'ble Supreme Court

and that this Tribunal has no jurisdiction to adjudicate upon the same till an order is passed by the Hon'ble Supreme Court. Further, it was also submitted that the adjudication of the existence or otherwise of a water body is not within the jurisdiction of the Act.

iii. That the Regulatory Authority correctly adjudicated regarding the disclosure of pending litigations.

iv. That the registrations for the projects were obtained in phase wise and hence there were two registration numbers for commercial building and a residential complex in the same survey numbers. That these lands were also not in the prohibited list of properties.

3. This Tribunal has heard the matter extensively. After hearing the Appellant as a Party-in-Person and the Ld. Counsels for Respondent No.1 and 2, the following points emerged for consideration in the present appeal:

I. *Whether the Appellant/Complainant qualifies as an aggrieved person to maintain a Complaint before Regulatory Authority? If not, what is the recourse to be adopted by the Appellant or the Regulatory Authority?*

II. *Whether there is any irregularity/illegality in Regulatory Authority granting the permissions to the projects of*

*Respondent No.1 and 2 in the facts made out in the present case?*

**4. ANSWER TO POINT (I):**

i. The first and foremost requisite to maintain the Complaint under the provisions of the Act is that the Complainant must be an "aggrieved person". A person must be aggrieved so as to maintain a Complaint under the Act against any promoter, allottee, or real estate agent as provided under Section 31 of the Act. But the problem arises as to who can be termed as aggrieved person. It is so because, the Act expressly does not define the word "aggrieved person".

ii. The Respondent No. 1 and 2 relied on several judicial precedents in support of the contention that the Appellant/Complainant is not an aggrieved person as provided under Section 31 of the Act and submitted that the present appeal preferred against the impugned order is to be dismissed for want of *locus*. I state that the *locus* of the Appellant is entirely different from that of enquiry to be done by the Regulatory Authority under the Act basing upon the information provided by the Appellant by way of the Complaint for the foregoing reasons.

iii. The Hon'ble Bombay High Court in the matter of ***Sagar Sarjerao Nikam*** vs ***Maharashtra Real Estate Regulatory Authority***[6] observed as follows:

> *"3. In that view of the matter, home buyers for whose benefit the petitioner has instituted this proceeding are not left without a remedy. If indeed any home buyer is aggrieved by the order or direction of the respondent no.1, he/she/it is free to approach the appellate forum. Thus, we are not inclined to entertain this PIL petition. It stands disposed of without any order for costs.*
>
> *4. Needless to observe, any person included in the definition of "person" as in Section 2(zg) of the Act shall be at liberty to pursue his/her/its remedy before the appropriate forum in accordance with law."*

iv. This order of the Hon'ble Bombay High Court attained finality as the Hon'ble Supreme Court in ***Sagar Sarjerao Nikam*** vs ***Maharashtra Real Estate Regulatory Authority***[7] refused to interfere with the observations of the Hon'ble Bombay High Court.

v. Further, the Odisha Real Estate Appellate Tribunal in ***Mrs. Sagarika Mohapatra*** vs ***Assotech Sungrowth Abode LLP and Ors.***[8] while interpreting the word "aggrieved person" under Section 31 (1) of the Act, stated that the same would be misconceived if taken that the aggrieved person must mean and

[6] Public Interest Litigation No. 25 of 2020 dated 26.06.2020
[7] Special Leave Petition (Civil) No. 8319 of 2020 dated 23.07.2020
[8] (2025) ibclaw.in 533 REAT

include only allottees, association of allottees or any voluntary consumer association registered under any law for the time being in force. It is stated that the aggrieved person shall also include any person, who has no nexus with the real estate project activity. Further, it was observed that a combined reading of Section 2(zg) and Section 31(1) of the Act makes it clear that an individual who is not an allottee may also file a complaint under Section 31 (1) of the Act, if he or she is aggrieved by any violation or contravention of the provisions of the Act, or the Rules and Regulations made thereunder against any promoter, allottee or real estate agent.

vi. Viewing the present case in the light of these rulings, the question arises as to whether the Appellant herein can really be treated as an aggrieved person though the Appellant is not an allottee, a real estate agent or a promoter in relation to a real estate project.

vii. There is no direct or indirect effect on the Appellant because of the real estate projects undertaken by Respondent No.1 and 2. But the Appellant/Complainant being a member of the bar Council of India and a practising advocate, is having a

responsibility to bring out the illegalities to an end. The Appellant/Complainant could be stated to have been aggrieved by the alleged illegalities perpetuated by the Respondent No.1 and 2 in the development of the real estate projects and hence approached the forums under the Act so as to safeguard the interests of the general public. Even so, I have no hesitation to state that no promoter or agent or officer authorised under the Act can act out of the rule of law. If found so, at a later stage of order or decision, a complaint constituted by person juristic is maintainable.

viii. Even if it is found that the Complainant does not have *locus* to maintain the Complaint, whether it would be proper to brush off and discard the contentions of the Complainant, if otherwise there is a plausible case made out for proceeding with an enquiry under the Act. For this, I am of the considered opinion that the regulatory mechanism under the Act is meant to ensure transparency, accountability, and statutory compliance by promoters, agents, and all officers authorized under the Act. Keeping this in view, the legislature empowered the Regulatory

Authority with *suo-moto* powers under Section 35[9] of the Act to seek necessary information from the person concerned as required under the Act. When such wide powers are invested with the Regulatory Authority, it would not be proper to reject a complaint merely on hyper-technical grounds of *locus*. If contravention of the Act, Rules and Regulations made therein is demonstrated, the Authority is duty-bound to adjudicate on the information provided. It would not be proper for the Regulatory Authority to close the eyes and act blind as if there is no contravention of the Act, and the Rules and Regulations made therein.

ix. The crucial information/irregularities in granting the Registration brought on record by the Appellant before the

[9] **35. Powers of Authority to call for information, conduct investigations**
(1) Where the Authority considers it expedient to do so, on a complaint or suomotu, relating to this Act or the rules or regulations made thereunder, it may, by order in writing and recording reasons therefor call upon any promoter or allottee or real estate agent, as the case may be, at any time to furnish in writing such information or explanation relating to its affairs as the Authority may require and appoint one or more persons to make an inquiry in relation to the affairs of any promoter or allottee or the real estate agent, as the case may be.
(2) Notwithstanding anything contained in any other law for the time being in force, while exercising the powers under sub-section (1), the Authority shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) while trying a suit, in respect of the following matters, namely: —
(i) the discovery and production of books of account and other documents, at such place and at such time as may be specified by the Authority;
(ii) summoning and enforcing the attendance of persons and examining them on oath;
(iii) issuing commissions for the examination of witnesses or documents;
(iv) any other matter which may be prescribed.

Regulatory Authority is speaking volumes about the alleged gross errors committed by the Regulatory Authority as on the date of granting the Registration Certificate viz., the project land is in prohibited list, the project land encompassing the lake (water body), two projects were granted registration for overlapping area of development. The information presented by the Appellant was sufficient for the Regulatory Authority to proceed with the enquiry and to cancel the registration. The *locus* of the Appellant shall not come on the way of the Regulatory Authority in taking appropriate action.

x. The deliberate inaction of the Regulatory Authority in turning a blind eye to the violations reported by the Appellant in the Complaint would shake the confidence of the general public.

xi. At the cost of repetition, I place on record that the Appellant, even if found to be not an aggrieved person as provided under Section 31 of the Act, the material placed by the Appellant before the Regulatory Authority was sufficient to exercise *suo moto* powers as provided under Section 35 of the Act and ought to have conducted an enquiry for the determination as to the alleged flagrant violations and contraventions made by the

Respondent No. 1 and 2, but such action was not taken. The inaction by the Regulatory Authority is exposing the sorry state of affairs at the Regulatory level which are to be eliminated by this Appellate Body.

xii. A complaint and the contents therein be examined and a reasoned speaking order be passed by Regulatory Authority on such complaint against any violations of the Act, Rules and Regulations therein committed and its continuity can be questioned by any person juristic according to the legislative mandate. There is no bar or in other words, exemption to the any person from constituting a complaint as envisaged under the special Act.

xiii. Further, I would also like to state that, despite earlier round of litigation before this Tribunal in A.R. No. 07 of 2025 in the present case, wherein the matter was remanded to the Regulatory Authority by an order dated 04.03.2025, no conclusion was arrived at by the Regulatory Authority in deciding the matter. There is no whisper by the Regulatory Authority in the impugned order regarding the observations/directions made by this Tribunal in the order dated 04.03.2025 in A.R. No. 07 of 2025.

xiv. For the above discussion, I am of the opinion that the Appellant/Complainant is an "aggrieved person" and also the material placed by the Appellant/Complainant before the Regulatory Authority constitute sufficient information to conduct an enquiry by the Regulatory Authority and the *locus* of the Appellant has no relevance for such enquiry.

**5. ANSWER TO POINT (II):**

i. I have perused the documents filed by both the sides. Before proceeding into the points, I would like to give the following table for a proper understanding of the case and also for adjudication of the allegations levelled by the Appellant. This information is extracted from the documents provided by both the sides and also as available on the website of the Regulatory Authority. The Building No.1 refers to the real estate project of Respondent No.1 and Building No.2 refers to the real estate project of Respondent No.2.

| **Details** | **Building No.1** | **Building No.2** |
|---|---|---|
| **As per Building Permit Order granted by TGIIC (Respondent No.4)** | | |
| **Building Permit Order** | IIC/0229/2021 dated 06.10.2021 | BPO/72/2023 dated 06.04.2024 |

| | | |
|---|---|---|
| **Building Permit granted to** | M/s. Phoenix Global Spaces Private Limited (Respondent No.1) | M/s. Phoenix Global Spaces Private Limited (Respondent No.1) |
| **Building Type** | Commercial | Residential cum Commercial |
| **Survey Numbers** | 272P, 273P | 272(P), 273(P) |
| **Location** | Puppalaguda Village, Gandipet Mandal, Ranga Reddy District | Puppalaguda Village, Gandipet Mandal, Ranga Reddy District |
| **Site Area** | 42492.1 sq. mts | 42492.15 sq. mts |
| **As per RERA Application Form** | | |
| **Project Registration Number** | P02400003565 dated 23.11.2021 | P02400008107 dated 29.04.2024 |
| **Registration granted to** | M/s. Phoenix Global Spaces Private Limited (Respondent No.1) | M/s. Sumadhura Constructions Private Limited (Respondent No.2) |
| **Name of the promoter** | M/s. Phoenix Global Spaces Private Limited (Respondent No.1) | M/s. Sumadhura Constructions Private Limited (Respondent No.2) |
| **Name of the Project** | TRITON | SUMADHURA PALAIS ROYAL |
| **Name of the land owner** | Not Applicable | M/s. Phoenix Global Spaces Private Limited (Respondent No.1) |
| **Survey Numbers** | 272/P, 273/P, 274/P | 272P, 273P |

| | | |
|---|---|---|
| **Location** | Puppalaguda Village, Gandipet Mandal, Ranga Reddy District | Puppalaguda Village, Gandipet Mandal, Ranga Reddy District |
| **Total area** | 42492.10 sq. mts | 42492.15 sq. mts |
| **Net Area** | 39297.79 sq. mts | 39297.89 sq. mts |
| **Area affected in road widening** | 3194.31 sq. mts | 3194.26 sq. mts |
| **Litigation Details** | Civil Appeal No. 12490/2024 | Civil Appeal No. 12490/2024 |

ii. Among the documents available on record, the copy of proceedings before the District Registrar, Ranga Reddy District vide **Procgs. No. 67/2025** dated 27.01.2025 clears the cloud in the present case. In the said proceedings, it was stated that the District Collector requested the District Registrar to amend certain entries in prohibited properties list under Section 22A of the Registration Act, 1908 in Survey Numbers 272/P and 273/P admeasuring Ac. 6-39 Gts and Ac. 3-21 Gts respectively in Puppalaguda Village, Gandipet Mandal, Ranga Reddy District (these Survey Numbers pertain to the property involved in the present case). Further, a representation was also received by the District Registrar from Respondent No.1 herein on 02.01.2025 with a request to delete certain Survey Numbers from prohibited

list maintained under IGRS website and enclosed the orders passed by the Ld. Endowment Tribunal and also the Hon'ble High Court in respect to these Survey Numbers wherein it was stated that the land in Survey Number 273 is a private patta land and not an endowment land.

iii. But even after receiving the letter from IGRS, the District Collector and Respondent No.1, the District Registrar have categorically observed that the lands in Survey No. 272 and 273 with extent Ac. 8-38 Gts and Ac. 12-26 Gts respectively are still in the list of prohibited properties. Further, in the said proceedings, it was stated that ***"as there was no tally between the Survey Numbers/Sub Divisions and extents, no amendment was made with respect to the subject survey numbers".*** The letters of the District Collector, orders of Endowment Tribunal and Hon'ble High Court of Telangana were also uploaded in the module list of prohibited properties under Survey Numbers 272 and 273. Further, Annexure 7 of the present Appeal which is a list maintained by the Department of Registration and Stamps for the State of Telangana shows that the lands in Survey No. 272 and 273 are in the prohibited properties list as on 03.06.2025.

iv. Section 22A (1)(e) of The Registration Act[10] prohibits the registration of documents relating to prohibited properties. The validity of this provision was also upheld by the Hon'ble High Court of Telangana in ***M/s. Invecta Technologies Pvt Ltd*** vs ***Govt. of Andhra Pradesh***[11].

v. The Respondent No.1 and 2 have not disclosed the permissive and the prohibitive extent of the lands in the survey numbers for the development of the projects.

vi. From the above analysis, a conclusion can be reached that the properties under Survey Numbers 272 and 273 which are relevant to the subject matter dispute are in the list of prohibited properties, meaning thereby that there cannot be any transfer of the immoveable property in these Survey Numbers. When such is the case, it would naturally follow that there cannot be any development of a real estate project over such property for the purpose of allotment of units under the said project. But

[10] **22-A. Prohibition of Registration of certain documents –**
(1) The following classes of documents shall be prohibited from registration, namely:
…….
(e) any document or class of documents pertaining to the properties the State Government may, by notification prohibit the registration in which avowed or accrued interests of Central and State Governments, Local Bodies, Educational, Cultural, Religious and Charitable Institutions, those attached by Civil, Criminal, Revenue Courts and Direct and Indirect Tax Laws and others which are likely to adversely affect those interests.

[11] Writ Petition No. 28300 of 2007 dated 19.10.2023

surprisingly, the real estate projects of Respondent No.1 and 2 pertain to these Survey Numbers meaning thereby that these projects are undertaken in the prohibited properties.

vii. When such is the case, I fail to understand as to what prompted the Regulatory Authority to initially grant the Registration Certificates for the projects of Respondent No.1 and 2, and also what prohibited the very same Regulatory Authority from revoking the Registration as empowered under the Act, when the present information was brought to the notice of the Regulatory Authority by the Appellant/Complainant.

viii. Surprisingly, when the Regulatory Authority was provided with the list of these prohibited properties, instead of looking into the same and giving a finding on the same, it observed at Para 87 of the impugned order as follows:

> *"87. It is evident from the material available on record that the Respondent No.3 did not submit that the property situated in Sy. No.272/P, 273/P & 274/P at Puppalguda, Gandipet, Ranga Reddy District is under prohibition list. This Authority has verified the encumbrance certificate on the subject land, and noticed that subject property is not under the prohibition list. Therefore, no investigation is required on the said aspect."*

ix. But as on the date of granting Registration and also on the date of Complaint, the proposed project land is in the prohibited list. The Regulatory Authority gave a blind eye to the information

provided by the Complainant regarding the prohibited properties list. It escaped the duty and liability by stating that no information was provided by Respondent No.3 regarding prohibited properties, hence verified the encumbrance certificate and concluded that the property is not in prohibited list, while the proper recourse was to also peruse the list provided by the Complainant.

x. It is trite law that a person who do not have an ownership title, cannot pass the same to others. When the proposed project land claimed by Respondent No.1 is exclusively in the prohibited list, no title could be passed to the allottees by the Respondent No.1 and Respondent No.2 who claim to be promoters of the real estate projects of TRITON and SUMADHURA PALAIS ROYAL respectively to be developed on a prohibited property.

xi. Further, even if the proposed project lands of Respondent No.1 and 2 are removed from prohibited land list, then also the Registration granted by the Regulatory Authority requires to be revoked in lieu of the settled proposition of law that an *ex post facto* clearance, if obtained, is prohibited, absurd and void ab initio. It was observed by the Hon'ble Supreme Court in

***Harbinder Singh Sekhon & Ors*** vs ***The State of Punjab & Ors.***[12], that a permission invalid from inception remains a nullity regardless of subsequent approval. The Hon'ble Supreme Court stated as follows:

> *"23. ……The approach adopted by the High Court, which treats the subsequent approval as curing the illegality of the CLU, cannot be accepted when the statutory structure does not permit legality to be supplied to an act which was unlawful when done, by a later administrative approval which does not itself satisfy the mandatory requirements governing alteration or revision of the Master Plan. The High Court's approach, which proceeds on the premise that an act lacking statutory backing on the date of its issuance may nonetheless be sustained by a subsequent ex post facto approval, is inconsistent with this statutory structure."*

xii. On upshot of pre-para happenings and the violations pointed out therein, without there being a right to Respondent No.1 and 2 to confer the title on the allotees, the entire process vitiates on count of misrepresentation and fraud by the Respondent No.1 and 2.

xiii. The zone dedicated land of the project cannot be used for other than specific purpose. In view of the zonal regulations, abundantly crystal there is a clear imposition of prohibition on the project land as on the date of registration by the promoter and the same is not disputed by the Respondents. The documents citing the project land in prohibition list placed by

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Appellant are drawn from public domain maintained by the Revenue Department which is neither disputed nor denied by the Respondent No. 1 and 2.

xiv. I have also perused the Building Permit Order BPO/72/2023 dated 06.04.2024 issued by Respondent No.4. The same states that approval was given to Respondent No.1 (Developer/Builder) for Residential and Commercial Building in three wings in Sy. No. 272P and 273P of Puppalguda Village, Gandipet mandal, Ranga Reddy District. But in the Regulatory Authority Registration Certificate dated 29.04.2024, Registration was granted vide Registration No. P02400008107 to Respondent No.2 for the project named SUMADHURA PALAIS ROYAL in Sy. No. 272P and 273P.

xv. It is beyond imagination as to when the building permit was granted to Respondent No.1, how the Registration Certificate under the Act was granted to Respondent No.2. When the same was brought to the notice of Regulatory Authority by way of the Complaint No.33 of 2025, the reasoning given by the Regulatory Authority in the impugned order dated 27.03.2025 is as follows:

> *"86. …….. Accordingly, Regn. No. P02400008107 dated 29.04.2024 was issued in favor of Respondent No.2* ***subject to all***

> ***the verified documents*** *duly uploaded by the Respondent No.2 also marking Respondent No.1 as the promoter as he is the landowner in the project. Registration has been granted by this Authority in phases in accordance with Section 3(2) of the Act, 2016 ……"*

xvi. This verification of documents stated to have been conducted by the Regulatory Authority appears to be improper.

xvii. Proceeding further, from a perusal of the table earlier provided herein, it is evident that both the project Registration Numbers vide P02400003565 dated 20.11.2021 granted in favour of Respondent No.1 and P02400008107 dated 29.04.2024 granted in favour of Respondent No.2 pertain to the same survey numbers. Surprisingly, the area covered by both these projects is also same. When such is the case brought before the Regulatory Authority by the Complainant, the Regulatory Authority did not even bother to examine these facts in detail. There was also no reasoning given by the Regulatory Authority to state that these projects are not overlapping when they are in the same part of land parcel in the same survey numbers.

xviii. It can be further seen that the net area and the area affected in road widening for both the projects is same. This fact would necessitate to presume that the projects of Respondent No.1 and

2 are on the same area overlapping exactly over each other. When this was brought to the notice of the Regulatory Authority, it did not even bother at least at this later stage of the Complaint to retrospect the mistake committed in granting Registration to two projects being undertaken on the same area of land.

xix. At this juncture, it would be appropriate to state regarding Section 4(2)(f) of the Act which mandates demarcation of land along with latitude and longitude, which is as follows:

> *"**4. Application for registration of real estate project:***
> *The promoter shall enclose the following documents alongwith the application referred to in sub-section (1), namely:-*
> *…….*
> *(f) the location details of the project with clear demarcation of land dedicated for the project along with its boundaries including the latitude and longitude of the end points of the project;"*

xx. If this compliance of Section 4(2)(f) of the Act have been done, it would have been simple to determine as to whether the projects of both the Respondent No.1 and 2 were overlapping or not. The trippers of the conditional failure of the mandatory compliance of Section 4(2)(f), and the absence of this mandatory requirement raises suspicion on the procedure for registration adopted at the Regulatory Authority

xxi. No stakeholder can claim any right/certificate of registration, out of the Act, Rules and Regulations, in other words, without

complying or reaching mandate under Section 3 and 4 of the Act. These violations are to be regulated by the officer authorised or regulatory body on their own or on a complaint by a person juristic and bound to revisit, re-verify the compliance of conditions, as implied in certificate of registration and take appropriate action, impose penalty, launch action by freezing transactions in all modes digital or physical, attach properties of contraveners in line with the powers conferred in accordance with the Act, Rules and Regulations.

xxii. Additionally, at this stage, I would also like to refer to the Development Agreement cum General Power of Attorney vide Doc. No. 8150 of 2023 dated 28.06.2023 registered at SRO, Gandipet Mandal, executed by Respondent No.1 in the capacity of land owner in favour of Respondent No.2 in the capacity of developer. The said document states that Respondent No.1 is the owner and possessor of a total land admeasuring 35,574 sq. yards equivalent to Ac. 7-14 Gts in Survey No. 272/1 and 273/1 at Puppalaguda Village, Gandipet Mandal, Ranga Reddy District. Both the building permits and also the RERA Application Forms mention the project site area and total area as 42,492.1 sq. mts and

42,492.1 sq. mts respectively. This 42,492.1 sq. mts when converted to sq. yards/Acres, it comes to 50,820.1 sq. yards/ Ac. 10-20 Gts, which is more than the land actually owned and possessed by Respondent No.1. Even on this count, the Regulatory Authority committed a blatant error by granting Registrations to both the projects which are beyond the actually owned and possessed area of the land owner/Respondent No.1. This impermissible error committed by the Regulatory Authority cannot be tolerated and when the same was contended by the Appellant, no heed was paid by the Regulatory Authority.

xxiii. Also, the building permit for Building No.1 was obtained for construction over Survey No.272P and 273P, whereas the Registration Certificate issued by the Regulatory Authority mentions the Survey Numbers of the project as 272P, 273P, 274P. This inclusion of Survey No. 274P is also a failure of the Regulatory Authority in not conducting due diligence of the documents submitted for the Registration.

xxiv. Moreover, from the documents filed herein, I observe that the project land is a lake area. Even when the Appellant brought this to the notice of the Regulatory Authority by way of the

Complaint regarding the case at the Ld. National Green Tribunal and the Hon'ble Supreme Court, the same ought to have been looked into, but unfortunately the same was not done. Even as per the zonal regulations map for the year 2030 of the Greater Hyderabad region available for public view, the project land Survey Numbers fall in the lake area (water body). In ***Hinch Lal Tiwari*** vs ***Kamala Devi***[13], the Hon'ble Supreme Court observed as follows:

> *"It is important to notice that the material resources of the community like forests, tanks, ponds, hillock, mountain etc., are nature's bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment which enables people to enjoy a quality life which is the essence of the guaranteed right under Article 21 of the Constitution. The Government, including the Revenue Authorities i.e. Respondents 11 to 13, having noticed that a pond is falling in disuse, should have bestowed their attention to develop the same which would, on one hand, have prevented ecological disaster and on the other provided better environment for the benefit of the public at large. Such vigil is the best protection against knavish attempts to seek allotment in non-abadi sites. For the aforementioned reasons, we set aside the order of the High Court, restore the order of the Additional Collector dated 25-2-1999 confirmed by the Commissioner on 12-3-1999. Consequently, Respondents 1 to 10 shall vacate the land, which was allotted to them, within six months from today. They will, however, be permitted to take away the material of the houses which they have constructed on the said land. If Respondents 1 to 10 do not vacate the land within the said period the official respondents i.e. Respondents 11 to 13 shall demolish the construction and get possession of the said land in accordance with law. The State including Respondents 11 to 13 shall restore the pond, develop and maintain the same as a recreational spot which will undoubtedly be in the best interest of the villagers. Further it will also help in maintaining ecological balance and*

[13] AIR 2001 SC 3215

*protecting the environment in regard to which this Court has repeatedly expressed its concern. Such measures must begin at the grass-root level if they were to become the nation's pride."*

xxv. It is trite to say that "once a lake always a lake". Even on this count, the Regulatory Authority could not have granted registration for the real estate projects to Respondent No.1 and 2 in the lake area. The authenticate copies of approvals mentioning that the project land is not falling in the lake area is not provided by the Respondent No.1 and 2, and is also not available on the web portal of these projects maintained by TGRERA, which is a non-compliance/violation of Section 4(2)(c) of The Act.

xxvi. In view of the above findings, I am of the view that there is irregularity/illegality in Regulatory Authority granting the Registration to the projects of Respondent No.1 and 2 in the facts made out in the present case. Hence, it is necessary to revoke the registration granted to the projects of both Respondent No.1 and 2 for the reason that the land in these Survey Numbers fall under the list of prohibited properties and also that the land for which Registration was granted is greater than the actual land possessed by the promoters (Applicants therein).

xxvii. Also, the Regulatory Authority failed to conduct due diligence or a proper enquiry, more properly on-site enquiry as required in the present case to enquire as to whether the project of Respondent No.1 and the proposed project of Respondent No.2 are overlapping on the same area of land. Even on this count, the grant of registration to the project of Respondent No.2 needs to be revoked. Further, the Regulatory Authority failed to properly mention the details of the promoters in respect of the project registration of Respondent No.2.

xxviii. Incidentally, it is not the case of Respondent No.1 and 2 that the allegations are not true as raised by the Complainant. Further, the non-disclosure of the true details regarding the project land amounts to fraud, on which the Regulatory Authority can proceed with initiation of criminal proceedings before the competent criminal court as provided under Section 80 of the Act.

xxix. The process adopted in project registration herein is impermissible by the Authority, having bearing on public policy. This leads to defrauding of public at large, it is to be removed by the Regulatory Authority as observed by the Hon'ble Supreme

Court recently in ***State of Haryana*** vs ***Naresh Sharma***[14], stating it to be better to abolish Regulatory Authority under the Act. It is for the Tribunal and the courts to comply the Apex Court orders as it came heavily on implementation, to abolish RERA for ineffective implementation. It is for the state instrumentalities to see the proper implementation of RERA.

xxx. I observe that the Regulatory Authority allowed the promoters and committed a gross error by further granting the Registration to the projects of Respondent No.1 and 2, and failed to remove this error when the same was brought to the notice of the Regulatory Authority by the Appellant/Complainant.

xxxi. Further, the Regulatory Authority is reminded of the duty that it holds towards the general public at large who are the prospective buyers. When a real estate project was granted registration by the Regulatory Authority, the prospective buyers, in good faith, believes that all the legal requirements as necessary for the construction/development of a project are fulfilled. Upon such belief, the prospective buyers invests/pours the hard-earned money into the real estate project for the allotment of a unit or

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apartment with an intent that the money is properly utilised. When such is the value being held by the Registration Certificate granted by the Regulatory Authority, the Regulatory Authority must be utmost cautious and careful while granting registration to a real estate project. If the circumstances warrant, the Regulatory Authority must proceed to verify on-site the proposed project land/area, as the case may be, as it is empowered to do so under the Act.

## DIRECTIONS

In view of the statutory non-compliances, defects in registration applications, and non-disclosures outlined hereinabove, more particularly the contraventions, continuity as came into light under Section 4(2)(c) read with Section 4(2)(f) therein of The Real Estate (Regulation and Development) Act, 2016, which are the submission of geo-fencing data, land zoning certificates, and full disclosure of project details, have not been fulfilled by Respondent No. 1 and Respondent No. 2. By operation of law, any Registration Certificate (Form-C) issued under Section 5 of the Act without strict compliance with Section 4 remains ineffective, defective and unenforceable until all mandatory parameters and

conditions are duly fulfilled, verified, and approved by the Competent Authority.

Accordingly, in exercise of the powers vested under the Act, and also reiterating the directions made earlier in A.R. No. 07 of 2025 dated 04.03.2025, the following directions are issued:

1. The Registration Certificates granted in Form-C for the real estate projects of Respondent No. 1 and Respondent No. 2, namely, "**TRITON**" having Registration No: **P02400003565** and "**SUMADHURA PALAIS ROYAL**" having Registration No: **P02400008107** are ineffective till compliance of requirements under The Act which are discussed hereinabove viz.,

   Compliance of Section 4(2)(c) and Section 4(2)(f) of The Act, including geo-fencing data, land zoning certificates, and full compliance with Registration certificate (Form-C) its respective conditions therein to the satisfaction of the Regulatory Authority and uploading the same on the web portal of the Promoter
2. Till the compliance is made, Respondent No. 1 and Respondent No. 2 are hereby strictly restrained from

further marketing, advertising, booking, selling, offering for sale, or creating any third-party rights or taking any advance payments in respect of any common area or apartment, or building part in the aforementioned projects.

3. The Regulatory Authority (TG RERA), through its Secretary or any other delegated person as provided under Section 81, is hereby directed to:

   (a) intimate this Tribunal whether any regulatory steps, monitoring, or inquiries have been initiated regarding the defective disclosures of Respondent No. 1 and Respondent No. 2;

   (b) re-visit, re-verify, and inspect the project registrations accorded under Sections 4 and 5 of The Act, and specifically conduct a physical site inspection to verify whether the project-dedicated lands of "**TRITON**" having Registration No: **P02400003565** and "**SUMADHURA PALAIS ROYAL**" having Registration No: **P02400008107** overlap over each other, and examine all other statutory violations highlighted in this order.

(c) initiate appropriate proceedings for the imposition of penalties against Respondent No. 1 and Respondent No. 2 for contraventions of the provisions of the Act, as applicable under Chapter VIII of the Act.

4. The Secretary, TG RERA, after completing the exercise as figured at direction (3), shall submit a detailed Compliance & Inspection Report along with the complete administrative records to the Registrar of this Tribunal within a period not later 120 days from the date of receipt of this order.
5. Upon complete rectification of the defects as mentioned hereinabove, the parties are at liberty to approach this Tribunal under Rule 30 of The Telangana State Real Estate (Regulation and Development) Rules, 2017, seeking modification of this order, but not later than a period of 60 days.
6. The Registry is hereby directed to transmit a copy (including e-copy) of this order along with relevant records, if any, received through Regulatory Authority/Secretary, TG RERA, and supply free copies on

the respective parties herein in compliance with Section 44(4) of the Act, 2016.

The Appeal is disposed of in terms of the above directions.

**Sd/-**

**P. PRADEEP KUMAR REDDY**
**JUDICIAL MEMBER**

LR copy marked.

REGISTRAR
Telangana State Real Estate Appellate Tribunal