**TELANGANA REAL ESTATE APPELLATE TRIBUNAL: HYDERABAD**

Krishna Hostel, First Floor, Dr. MCR HRD Institute Campus, Road No.25,
MP & MLAs 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. 68 of 2025**

**Between**:

1.Venkata Subbamma @ Gangaraju Saraswathi
D/o Late Ch.Venkata Appa Rao, W/o Late G.Nageshwar Rao, 82 years, R/o H.No.4-7-38, Kuritipadu, Guntur District.
2. T.Uma Maheshwari, W/o T.Gouri Shankar Rao, 58 years,R/o Flat No.404, RK's Prime, Mythri Nagar, Kukatpally, Hyderabad.
3. Gangaraju KS Murthy, S/o Late G.Nageshwar Rao, 55 years, Business, R/o H.No.4-7-38, Kuritipadu, Guntur District.
4. Gangaraju Rajashekar, S/o Late G.Nageshwar Rao, 55 years, Business, R/o H.No.4-7-38, Kuritipadu, Guntur District.
5. N.L.Nageshwari, W/o Late N.Rambabu, D/o Late Damayanthi, 62 years, H.No.2-118/1, Hydershahkot, Hyderabad.
6. K.Sree Lakshmi, W/o Late K.Rajeshwar Sharma, D/o Late Damayanthi, 55 years, R/o H.No.1-3-90/5, Budwel, Ranga Reddy District.
7. K.Girija Kumari, W/o K.Vinayaka Rao, D/o Late Damayanthi, 51 years, H.No.2-239, PA Nagar, Miyapur, Hyderabad.

...Appellants

AND

1.Telangana Real Estate Regulatory Authority,
Represented by its Secretary/Authorised Officer,
DTCP Building, Ground Floor, 640, A.C. Guards,
Masab Tank, Red Hills, Hyderabad.
2.M/s League Spaces LLP, represented by its
Managing Partner Mutyalapati Arjun,
S/o M.Seshagiri Rao, Plot No.1208, Sy.No.11/1,
Spline Arcade Flat No.501, Ayyappa Society,
Madhapur, Hyderabad.
3.Ch.Srinivasa Rao, S/o Late Ch.Venkata Subba Rao,
58 years, Software Engineer, H.No.3-117, Kismathpur
Village, Gandipet Mandal, Ranga Reddy District.
Presently R/o D.No.28135, Harter Creek Lane,
Katy, TX-77494, Houston, USA.
4.Ch.Sunitha, W/o Late Ch.Ravibabu, 50 years.
5.Lakshmi Tejaswi, D/o Late Ch.Ravibabu, 21 years,
6.Ch.Venkatasai Sudhakar Vasista, S/o Late
Ch.Ravibabu, 21 years, Student.
Respondents 2,3,4 are R/o H.No.3-115,
Kismathpur village, Gandipet Mandal,
Ranga Reddy District.
7.M.Vijayalakshmi, W/o R.Mohan Rao,
D/o Late Venkata Subbarao, 59 years,
R/o H.No.C-22, A.P. Diary Quarters,
Lalapet, Hyderabad.
8.T.Padma, W/o T.Venkateshwar Rao,
D/o Late Venkata Subbarao, 52 years,
R/o H.No.30-859, Vinayaka Nagar, RK Puram,
Neredmet, Hyderabad.
9.P.Narsimha Rao, S/o P.Venkateshwarlu,
72 years, Retired Employee.
10.M.Rajyalakshmi, W/o M.Ramakanth,
D/o P.Bharatha Lakshmi, 47 years, Private
Employee.
11.K.Pavani, W/o K.Ramakrishna, D/o P.Bharatha
Lakshmi, 40 years, Private Employee.
Respondents 7,8,9 are R/o H.No.4-49/34,
Kismathpur village, Near Water Tank,
Gandipet Mandal, Ranga Reddy District.

12.V.V.Rajeshwari, W/o V.V.Suryanarayana Murthy, D/o Late Ch.Venkata Apparao, 72 years, H.No.7-16-177/8/1, Sri Nagar, Guntur-2, Guntur District.
13.Ch.Hanumantha Rao, W/o Late Ch.Venkata Apparao, 70 years, H.No.3-116, Hanuman Temple, Kismathpur, Gandipet Mandal, Ranga Reddy District.
14.Ch.Hymavathi, W/o Ch.Hanumanth Rao, 69 years, H.No.3-116, Hanuman Temple, Kismathpur, Gandipet Mandal, RR District.
15.Ch.Ramakrishna, S/o Ch.Hanumanth Rao, 50 years, H.No.3-116, Hanuman Temple, Kismathpur, Gandipet Mandal, RR District.
16.Ch.Aruna, W/o K.Seshu Kumar, 46 years, Flat No.302, Amulya Residency, Road No.14, Deepthisrinagar, Madinaguda Thirumalgiri, Hyderabad.
17.Ch.Venkatramana, S/o Ch.Hanumantha Rao, 49 years, H.No.3-104, Kismathpur village, Hanuman Temple, Gandipet Mandal, RR District.
18.V.Sridevi, W/o V.Sivaramakrishna, 54 years, H.No.3-116, Hanuman Temple, Kismathpur, Gandipet Mandal, Ranga Reddy District.

… Respondents

| | |
|---|---|
| Counsel for Appellants | : Mr. Mohd. Mumtaz Pasha |
| Counsel for Respondent No.2 | : Mr.M.Srinivas Reddy |
| Respondent Nos.3 to 11 & 13 to 18 | : *Ex parte* |
| Date of Decision | : 29.10.2026 |

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

This appeal is preferred by the appellants seeking to cancel the Registration Certificate of the Project 'Riverscape' granted by the 1st respondent/Real Estate Regulatory Authority, Hyderabad, (hereinafter referred to as 'the Regulatory Authority'), in favour of the 2nd respondent/League Spaces LLP, vide Registration No.PO2400004424, dated 02.05.2022, in respect of agricultural lands admeasuring Ac.5.17 Guntas in Sy.No.17 (old) (17/EE), Bandlaguda Jagir village, Rajendranagar, Gandipet Mandal, Ranga Reddy District., on the ground that the 2nd respondent/developer had obtained registration of the project by playing fraud and suppressing the civil litigation in O.S.No.1253 of 2008 filed by the 8th respondent/plaintiff herein against respondent Nos.3, 7 and 9/defendants herein and two others, for partition and separate possession of the suit schedule property, which was decreed by the learned Additional District Judge, Ranga Reddy District, by judgment dated 18.11.2014, and against which an appeal being A.S.No.363 of 2015 was filed and the same is pending adjudication. It is further alleged that the 2nd respondent had suppressed the existence of civil suit being O.S.No.202 of 2023 filed by the appellants against him and respondent

Nos.3 to 13 herein and others for partition and separate possession of the suit schedule property, pending on the file of the I-Additional District Judge, Ranga Reddy District. It is further alleged that the 2nd respondent had also suppressed the existence of civil suit being O.S.No.1562 of 2025 filed by the appellants against respondent Nos.2 to 5 and 13 to 18 herein for declaration of sale deeds and Development agreement-cum-GPA as null and void and also for perpetual injunction and the same is pending adjudication before the Additional Senior Civil Judge, Ranga Reddy district.

2. Learned Counsel for the appellants submitted that the appeal is maintainable under Sections 43 and 44 of the Telangana Real Estate (Regulation and Development) Act, 2016 (for brevity 'the Act'). The 2nd respondent/promoter had suppressed the pending civil litigation in respect of the proposed project and also not submitted the approved sanctioned plan or layout obtained from the competent authority at the time of obtaining Registration Certificate from the learned Regulatory Authority. He further submitted that the learned Regulatory Authority, without verifying the records and the documents disclosing that the subject properties are joint family properties and also the civil litigation for partition of the said properties are pending between the parties,

erroneously granted registration certificate of the project in favour of the 2nd respondent/promoter. Therefore, he prayed for cancellation of the registration certificate of the project issued in favour of the 2nd respondent.

3. Learned Counsel for the 2nd respondent/promoter submitted that the present appeal filed by the appellants is not maintainable either in law or on facts as they have not filed any complaint before the Regulatory Authority seeking the relief of cancellation of registration certificate granted in favour of the 2nd respondent. Further, the appellants cannot file an appeal directly before this Tribunal without exhausting the remedy of complaint before the Regulatory Authority. Revocation or cancellation can only be allowed if there is any *prima facie* violation of the terms as mentioned under Section 7 of the Act. He further submitted that there is no suppression regarding pending of civil disputes and that there is no civil case which is pending as on the date of granting Registration Certificate on 02.05.2022. Further, the matters such as partition and ownership are subject matter of civil Court and cannot be adjudicated by this Tribunal as the subject matter is wholly beyond the purview of this Tribunal. He further submitted that even though the Registration Certificate was granted in the year 2022 and the project is being carried out by the 2nd respondent with all permissions, the appellants now after

three years approached this Tribunal challenging the Registration Certificate without mentioning the reasons for the delay for not challenging the order as mentioned under Section 44 of the Act. He further submitted that the appellants are neither allottees nor any voluntary consumer association and the appellants are purely private persons and as such their claim of partition cannot be adjudicated before this Tribunal. Therefore, he sought to dismiss the appeal with exemplary costs.

4. We have heard the learned Counsel appearing on either side and have gone through the entire material placed on record along with the written synopsis submitted by them.

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

> *"Whether the appeal filed by the appellants seeking the relief of cancellation/revocation of Registration Certificate of the Project granted by the learned Regulatory Authority in favour of the 2nd respondent/promoter is maintainable in law?*

**POINT:**:

6. Admittedly, the appellants did not file any complaint before the Regulatory Authority seeking the relief of cancellation of registration certificate granted in favour of the 2nd respondent/promoter and they straightaway filed the present appeal before this Tribunal seeking the said

relief without exhausting the remedy of complaint under Section 31 of the Act before the Regulatory Authority. The appeal shall be preferred only when any person aggrieved by any direction or decision or order made by the Authority under the Act, but not for cancellation of registration as granted by the Regulatory Authority. Section 31 of the Act clearly discloses that the complaint shall be filed before the Regulatory Authority and upon the order passed therein, an appeal shall be preferred under Section 43 of the Act.

7. At this stage, it would be apposite to refer to the provisions of sections 31 and 43 (5) of the Act, which read 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.*

> *"Section 43 (5): Any person aggrieved by any direction or decision or order made by the Authority or by an adjudicating Officer under this Act may prefer an appeal before the Appellate Tribunal having jurisdiction over the matter."*

8. A cumulative reading of the aforesaid provisions explicitly disclose that the complainant cannot file an appeal straightaway before the Real Estate Appellate Tribunal for cancellation of the promoter's registration certificate without first approaching the Real Estate Regulatory Authority. Sections 43(5) and 44 of the Act, state that an appeal before the Appellate Tribunal can only be preferred by a person aggrieved by any direction or decision or order made by the Regulatory Authority or by an Adjudicating Officer under the Act. Under the Act, the Appellate Tribunal is strictly a creature of statute with appellate jurisdiction, not original jurisdiction.

9. That apart, revocation or cancellation can only be allowed if there is any *prima facie* violation of the terms as mentioned under Section 7 of the Act, which reads as under:

> "Revocation of registration: (1) The Authority may, on receipt of a complaint or s*uo motu* in this behalf or on the recommendation of the competent authority, revoke the registration granted under Section 5, after being satisfied that—

(a) The promoter makes default in doing anything required by or under this Act or the rules or the regulations made thereunder;
(b) The promoter violates any of the terms or conditions of the approval given by the competent authority;
(c) The promoter is involved in any kind of unfair practice or irregularities.

10. Sections 7 and 8 of the Act mandate the power to create, register, extend or revoke/cancel the registration certificate of a real estate project belongs exclusively to the Regulatory Authority, not the Appellate Tribunal. The Appellate Tribunal can only review that decision if an appeal is filed against the final determination of the Regulatory Authority. Therefore, we are of the considered opinion that the appellants must first file a formal complaint under Section 31 of the Act before the Regulatory Authority, citing violations of Section 7 of the Act, for revocation of the promoter's registration. If the Regulatory Authority passes an adverse order, then only a cause of action would arise to approach the Appellate Tribunal within the 60 days limitation period. It is clarified that the proper course of action regarding disputes over project registrations or deviations must originate at the Regulatory Authority level. A party cannot invoke the appellate mechanism directly to adjudicate a fresh dispute or ask for cancellation of a certificate that the Authority has not yet reviewed. The Tribunal's powers are confined to

examining the legality, propriety and correctness of orders passed under the Regulatory Authority. Further, the Tribunal's jurisdiction is purely derivative.

11. In the aforesaid circumstances, we are of the considered view that since the appellants have an effective and efficacious remedies available under the provisions of the Act before the Regulatory Authority, we see no reason to entertain the present appeal.

12. In the result, the appeal is dismissed reserving liberty to the appellants to avail remedies available under the provisions of the Act before the Regulatory Authority. 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 the 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. 68 of 2025**

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

I respectfully partly differ with the Orders of the Hon'ble Chairperson and, in exercise of additional powers as vested in the Appellate Tribunal under Rule 30 of The Telangana Real Estate (Regulation and Development) Rules, 2017 (hereinafter referred to as Telangana RERA Rules), hereby pass this separate order in my capacity as the Judicial Member of the Tribunal:

This appeal is filed by the appellants under section 44 of the Real Estate (Regulation and Development Act) 2016, (hereinafter referred to as 'RE(R&D) Act,2016) for following relief(s):

> *"To cancel the proceedings of Respondent No.1 in registering the project in the name of RIVERSCAPE with registration no.P02400004424, in favour of Respondent No.2-M/s. LEAGUE SPACE LLP., in respect of agricultural lands admeasuring Ac.5.17 gts. in Sy.No.17 (old) (17/EE), Bandlaguda Jagir village (Rajendranagar), Gandipet Mandal, Ranga Reddy District."*

| Project | Name of the promoter | Date of registration | Survey nos. |
|---|---|---|---|
| RIVERSCAPE (P02400004424) | M/s. League Spaces LLP | 02.05.2022 | 17/EE,18/U,19/U (Bandlaguda Jagir) 18/AA, 19/AA, 18/E 19/E, 19/P, 18/P, 18/EE (Kismatpur) 96/A2/1, 96/2E, 96/AA/2, 96/EE/2, Hyderguda, |

| | | | |
|---|---|---|---|
| | | | Rajendranagar, Ranga Reddy-500030. |

**BRIEF FACTS OF CASE OF THE APPELLANTS:**

1. The appellants and respondent nos.3 to 18 are the joint owners of ancestral undivided joint property of Ac.10-35 Gts. in Sy.No.17(old) (17EE) and other properties in Sy Nos.26,27,28, Bandlaguda Jagir and Sy.no.14/A at Kismathpur Village, Rajendranagar, Gandipet Mandal, R.R. District, and the said property is liable to be divided into 5 equal parts between the appellant and the respondent nos.3 to18, i.e. appellants are entitled to 2/5th share and the respondent nos.3 to 18 are entitled to 3/5th share.
2. The Respondent no.8 filed O.S.No.1253/2008, for partition of 5.17 Gts. in Sy.No.17(17/EE) and the orders were passed on 18.11.2014, for the partition of the said property.
3. In A.S. No.363/2015, the Hon'ble High Court has passed an interim injunction on 22.06.2015, directing not to alienate or not to change the nature of subject property in Sy.no.17(17/E) Ac.5.17 gts. and the Development Agreements cum GPA dated 20.3.2020, in respect of the said land were cancelled vide cancellation documents dated 10.12.2021.

4. The Suit O.S.No.202/2023, was filed for partition of subject property and other properties and for cancellation of the fraudulent documents. Injunction orders granted in I.A.No.349/2023, dated 14.3.2023, not to alienate or create any charge or to change the nature of subject property and the said suit is pending.
5. The respondent no.2 suppressing the above said suits, submitted application for building permission for the subject land of Ac.5.17 gts. in Sy No.17/E. The Hon'ble High Court in W.P. no.14316/2023, vide order dated 9.6.2023, directed the Commissioner HMDA to pass orders on the objection petitions filed by the appellants before granting any permission to the said project in the said property of appellants. Violating the orders of Hon'ble High Court, HMDA processed the draft layout plan dated 20.9.2023, vide letter No.045223/SKP/LT/U6/HMDA/1502021, and directed the respondent no.2/builder to deposit the development and permission charges.
6. Pursuant thereto, a W.P.No.12880/2025, was filed to cancel the said draft layout and the Hon'ble High Court passed orders on 28.4.2025, directing the HMDA to cancel the draft layout. But HMDA passed orders with an observation that the order is subject to outcome of cases

pending before the Court of law. Subsequently, W.P.No.34565/2025, has been filed challenging the orders of HMDA. The said Writ Petitions are pending before Hon'ble High Court for cancellation of draft approval of layout.

7. Pursuant thereto, the Respondent no.13 had fraudulently obtained the pattadar passbook on 08.01.2019, to the subject land of 5.17 gts. and obtained NALA Conversion orders dated 10.08.21. Subsequently, an appeal has been filed before the Revenue Divisional Officer in Appeal no. F/1013/2026 for cancellation of said pattadar pass book issued to respondent no.13.
8. Suppressing the above said facts, the respondent no.2 registered the project with the respondent no.1. Though it is the duty of respondent no.1 to verity all the said facts before granting any registration, without considering the objections, issued registration certificate in favour of project of respondent no.2. Hence this appeal is filed to cancel the certificate of registration of project which is obtained by fraud and misrepresentation.

**BRIEF FACTS OF CASE OF THE RESPONDENT NO.2:**

9. That the respondent no.2 submits that as the grounds of appeal clearly demonstrates matters concerning partition and ownership. the dispute

falls beyond the scope and purview of the RERA Act, 2016. Appellant no.1 filed O.S.No.202/23, before Hon'ble XI Addl Dist. Judge, R.R. District which is pending and status quo order passed in I.A. No. 349/2023, was vacated vide order dated 21.03.2024, in I.A.No.997/2023.

10. The application filed by the appellants was dismissed vide orders dated 22.09.2025 by the Metropolitan Commission, HMDA. Aggrieved by the said order of HMDA, the appellant filed W.P.No.34565/2025, which is pending. The subject property originally belongs to brothers of appellant no.1 and the said property is in the name Ch. Venkat Subba Rao and Ch. Hanumantha Rao and they were issued individual pattadar pass books, title deeds, mutation proceedings 1-B records were also issued in their favour. The appellant has not even filed a single document to show that the subject property belongs to her father. The matters concerning partition does not come under the purview of this Tribunal and there were no injunction orders or pending suits with respect to the schedule property at the time of obtaining certificate of registration which is in the year 2022.

11. The Certificate of Registration was obtained in the year 2022 and project was started by the respondent no.2 with all permissions and the

appellant after four years approached the Tribunal. The appellant is neither an allottee nor any voluntary consumer association. The appellant is purely a private person, and her claim of partition cannot be adjudicated before this Tribunal, and it is the subject matter Civil Courts. Respondent no.2 submits that the appeal is not maintainable and prayed to dismiss with exemplary costs.

12. TG RERA granted registration under Section 5 under project registration number: P02400004424, for the project: RIVERSCAPE in survey nos.17/EE,18/U, 19/U (Bandlaguda Jagir) 18/AA, 19/AA, 18/E 19/E, 19/P, 18/P, 18/EE (Kismatpur) 96/A2/1, 96/EE/2 Hyderguda, Rajendranagar, Ranga Reddy-500030.

13. Aggrieved by the above registration of TG RERA, the appellants filed this appeal.

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

> *Whether the conditions stipulated in the Project Registration Certificate bearing No. P02400004424 have been duly complied with and, in the event of non-compliance, whether the said registration certificate remains valid or has lapsed?*

**ANSWER TO THE POINT:**

15. Admittedly certificate of Grant - Form C is subject to fulfilment of conditions therein and thereunder. Conditions in Para no.2 (i) to (v) of

Certificate of Registration were neither complied nor reported on the Web Portal maintained by Promoter/Respondent. Upon such, the Registration (Form C) is non operative and ineffective on operation of law.

16. The Hon'ble Supreme Court in ***Newtech Promoters and Developers Pvt. Ltd.*** **v.** ***State of Utter Pradesh and others,*** **(2021 INSC 716)** has emphasised the protective purpose of the legislation and the importance of the statutory remedies provided for the safeguarding the interest of the allottees and held as under;

> *"41.The clear and unambiguous language of the statute is retroactive in operation and by applying purposive interpretation rule of the statutory construction, only one result is possible, i.e., the legislature consciously enacted a retroactive statute to ensure sale of plot, apartment or building, real estate project is done in an efficient and transparent manner so that the interest of consumers in the real estate sector is protected by all means and section 13, 18(1) and 19(4) are all beneficial provisions for safeguarding the pecuniary interest of the consumers/allottees. In the given circumstances, if the Act is held prospective then the adjudicatory mechanism under section 31 would not be available to any of the allottee for an ongoing project. Thus, it negates the contention of the promoters regarding the contractual terms having an overriding effect over the retrospective applicability of the Act, even on facts of this case."*

17. In furtherance of the effective exercise of the appellate jurisdiction, I, being the Tribunal Member (Judicial) invoke the additional powers vested in the Appellate Tribunal under Rule 30(1)(a) of the Telangana

RERA Rules, 2017, and proceed to issue the following directions in accordance with law:

18. Rule 30(1)(a) provides as follows;

> *"30. Additional powers of the Appellate Tribunal: (1) In addition to the powers specified in clause (g) of subsection 4 of section 53, the appellate Tribunal shall exercise the following additional powers,-*
> *(a) require the promoter, allottee or real estate agent to furnish in writing such information or explanation or produce such documents within such reasonable time, as it may deem necessary."*

19. Section 4(2) of the RE(R&D) Act, 2016, prescribes the particulars and documents required to accompany an application for registration of a real estate project. In pursuant thereto, this Tribunal has observed that the promoter has failed to reach the mandate under section 4(2)(f) of RE(R&D) Act, 2016, which is reproduced as under:

> *"**Application for registration of real estate projects.***
> *(1) Every promoter shall make an application to the Authority for registration of real estate project in such form, manner, within such time and accompanies by such fee as may be (prescribed)*
> *(2) The promoter shall enclose the following documents along with 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;"*

20. The promoter is also required to comply with the applicable disclosure obligations under section 11 of the RE(R&D) Act, 2016, and with the terms and conditions incorporated in the certificate of registration. The

grant of the registration in accordance with section 5 of the RE(R&D) Act, 2016, does not absolve the promoter from complying with the statutory requirements or the conditions imposed by the competent authorities.

21. Upon observation of the material placed on record which includes the communication letter dated 10.01.2025, issued by the Planning Department of the Hyderabad Metropolitan Authority (HMDA) in relation to the promoter's application bearing no. (045223/SKP/LT/U6/HMDA15042021, dated 15.4.2021), which reads as follows.

> *"Your compliance on the above should reach the undersigned within one month i.e., before 10-February,2025 failing which further action will be taken as per the extend of law.*
> *This shall not be construed as approval of the proposal and permissions for development."*

The above said communication called upon the promoter to comply with the requirements specified therein within the stipulated period and expressly stated that the said communication should not be construed as approval of the proposal or permission for the development of the project.

22. Pursuant thereto, as the promoter/Respondent no.2 failed to deposit the mandatory charges as levied by HMDA vide letter dated 10.01.2025, which was brought on record not disputed by respondent

no.2, it is crystal clear that the project was dropped out on lapse in line with non-fulfilment of condition figured in para no.2 of Certificate of Grant date 02.05.2022.

a. The Project Registration Grant Certificate No. P02400004424, for project: "RIVERSCAPE" obtained by promoter over an area of 25 acres constituted at Bandlaguda Jagir in Survey nos.17/EE, 26, 27, 28, 14/A subject to compliance of conditions.

b. The Promoter failed to comply Section 4(2)(f) of RE(R&D) Act,2016.

23. A crisis arise when a promoter triggers defaults across municipal and regulatory frameworks simultaneously and the non-fulfilment of condition as intimated by HMDA letter dated 10.01.2025, as such default committed by the promoter, the trippers of conditional failure and lapse has arisen for non-compliance with Sections 4(2)(c) and (f) and 5 of the RE(R&D) Act, 2016.

24. In view of the lapses identified in Points (a) and (b) above, the project registration of **Urban League Realty Venture** is kept in abeyance on account of the trippers of conditional failure and lapse for non-compliance with Sections 4(2)(c) and 5 of the RE(R&D) Act, 2016, read with the conditions imposed under Paragraph 2 of the Registration Certificate in Form C dated 24.09.2026. However, the parties may seek

modification of the registration, subject to fulfilling the prescribed conditions and rectifying the identified deficiencies by updating and uploading the requisite information and documents.

25. Certificate of Registration no. P02400004424 stands lapsed for non-fulfilment of conditions imposed therein and thereunder. The technical approval accorded by HMDA was not materialised by the Promoter for nonpayment of fee of lay out regulation. As per the conditions of Lay Out Rules, once the application is presented by the Promoter, intimation dated 10.01.2025, in its para no.13 remain in operation.

26. Additionally, I being a Judicial Member of this Tribunal observes that the promoter has acted in violation of section 4(2)(f) of the RE(R&D) Act, 2016, which stipulates that the promoter shall fill 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.

27. The structural validity of the layout operates as a co-terminus permission, which is heavily contingent upon the mutual fulfilment of both HMDA Technical Approval and RERA Registration Preliminary Approvals. Pursuant to Section 4(2)(f) of the RE(R&D) Act, 2016, and

verified geo-fencing technical data, all specific dimensions, vertical clearances, layout system form an integral part of mandatory project disclosures dedicated to common use.

28. The Grant of Registration under the Form C Certificate remains explicitly subject to strict compliance rules. Due to the non-fulfilment of conditions held within and thereunder the certificate regarding technical specifications and layout approvals, the permissions governing the principal layout components stand compromised and are legally classified as lapsed/defective applications for failing to meet the mandated regulatory baseline.

29. On the upscale of above, I hereby declare that the Registration Certificate of project no. P02400004424, which was issued for a period of 02.05.2022 to 27.03.2028, prior to its completion date remain in dies non mode.

30. This Tribunal finds that the allegations concerning non-compliance with the conditions of registration, the status of the planning approval and the completeness of the statutory disclosures require examination on the basis of the original records. The competent authority shall verify whether the promoter has complied with the conditions of

registration and the applicable statutory requirements and shall determine in accordance with law.

31. In view of the above the certificate of RERA Registration was lapsed before its completion date. Formal lapsation on non-fulfilment of condition in Form-C, an order shall be issued on giving notice to the promoter/respondent no.2 by Secretary, TG RERA, in effective implementation of para no.3 of Form-C/Registration Certificate of Project dated 02.05.2022, as under:

> *"(iii) The promoter shall deposit seventy per cent of the amounts realised by the promoter in a separate account to be maintained in a schedule bank to cover the cost of construction and the land cost to be used only for that purpose as per sub-clause (d) of clause (l) of subsection (2) of section 4."*

32. In the result, the present appeal is disposed of with the following directions:

(i) The Secretary, TG RERA, shall call for and examine the original application for registration of the project "**RIVERSCAPE**", bearing Registration No. **P02400004424**, together with the certificate of registration in Form C dated 02.05.2022, the conditions stipulated therein, the documents and disclosures submitted by the promoter, and the particulars uploaded on the official web portal. It is for the

promoter/Respondent.no.2 herein shall produce layout plan separating M/s. League Space LLP in respect of the Agricultural land as allegedly claimed, constituting Ac.5.17 gts in Survey no.17 its sub division 17/EE, Bandlaguda Jagir village, (Rajendranagar) Gandipet Mandal Ranga Reddy District, subject to other necessary amendments or accord permissions referring to HMDA letter 10.01.2025 for which a non-binding mediation or facilitation be accord by Authority therein thereunder subject to other lists or gathering consensus or consent of the parties herein including association of allottees to put a logical end/semblance right and equities of parties for which it is open for the Authorities.

(ii) Regarding non-binding mediation, relying the decision in (2005) 6 SCC 344 and the decision of the Kerala High Court dated 08.07.2020, in WA No.1090 of 2020, exercise can be carried out by the Regulatory, TG RERA, to set right the defects as crop up or tripled in given circumstances as placed before this Tribunal referring to respective prayer as sought above.

(iii) The Respondent No.2/promoter shall be called upon to furnish, within a reasonable period specified in a written

notice, the information and documents necessary to establish compliance with Section 4(2) of the Act, the applicable provisions of Section 11, and the conditions stipulated in the certificate of registration. The documents shall include, to the extent applicable, the particulars of the land comprised in the registered project, survey number wise demarcation and boundary details, the requisite location particulars, and the permissions and payment receipts relied upon by the promoter.

(iv) On upshot of the above happenings for this project, all other projects are to be verified afresh, uninfluenced by the observations in this order by giving reasonable opportunity to all parties as per the provisions of RE(R&D) Act, 2016, and Telangana RERA Rules, 2017, and Regulations dated 24.09.2023, general regulations therein thereunder as powers delegated to the authorised officer. On initiation of above steps, the Secretary, TG RERA shall report further action through the Registrar of this Tribunal within 8 weeks from the date of receipt of this order.

(v) In exercise of the additional powers vested with this Tribunal as stipulated under Rule 30(a) of the Telangana RERA Rules, 2017; I hereby direct the parties herein and Regulatory Authority to conduct forensic audit on promotion of projects, including project promoter affairs in connection with present project area (impugned area) and other promotional activity not backed by permissions or RERA Registration and initiate appropriate steps for imposition of penalty on non-compliance, if found any.

(vi) It is for the Secretary, TG RERA, to place the photographs of Promoter on Web Portal apart issuing public caution notice or advisory as per the norms of RE(R&D) Act, 2016, and Rules of 2017, regulations therein and thereunder as guided by the Hon'ble Supreme Court in ***Newtech Promoters (supra)***, followed by TG RERA circular no.607/2025/TGRERA dated 04.03.2025, as per the Act and Rules therein.

(vii) The scope of such audit to be held in compliance with the conditions held within Form C certificate dated 24.09.2026, specifically para 2, item (i) to (vi), pursuant to the promoter's continuous public disclosure obligations under section 11 of

the RE(R&D) Act, 2016 and Rules, 2017 therein thereunder referring to project.

(viii) The above pre para exercise shall be completed not later than 8 weeks w.e.f. the date of receipt of this order. The initiation if any, submit a report through Registrar, TG RERA to this Tribunal not later than 8 weeks as accorded, the Registry is direct to post the matter under the Caption of 'Compliance' after 8 weeks, the parties are left open to submit their written explanation with documentary proof before Secretary, TG RERA, needless to say even seek modification of this order subject to compliance or fulfilment of conditions as held in Form-C Certificate of Registration therein thereunder.

(ix) However, the promoter if fails continuity of contravention as found to comply with the mandate prescribed under section 4 of the RE(R&D) Act, 2016, within 8 weeks, invoking powers as the Judicial Member of this Tribunal, it is for the promoter shall face consequences to be liable to compensate where ever applicable in accordance with section 18 of the RE(R&D) Act, 2016, or otherwise such non-compliance may attract the penal consequences prescribed

under section 64 etc., of the RE(R&D) Act, 2016, subject to the nature of the violation and the applicable statutory provisions.

**ORDER**

33. In terms of para 32 (i) to (ix), the parties are hereby directed to take further steps amicably; otherwise, the observations in pre para be materialised as invoking powers under Section 44 of the RE(R&D) Act, 2016, read with Rule 30(a) of the Telangana RERA Rules, 2017.

34. The Registry is directed in compliance of Section 44(4) of the RE(R&D) Act, 2016, and transmit the order copy to parties, authorities of HMDA, DTCP etc., whosoever deal with the permissions over the project dedicated land under their respective jurisdiction and has to give effect to this order subject to permissions for development of project area held in Form C (Registration Certificate) as per the provisions of law as amended from time to time including registration and revival of registration. Further, the Registry is to communicate this order copy to the parties as well transmit to HMDA to merge in their letter dated 10.01.2025, (application no.045223/SKP/LT/U6/ HMDA/15042021, DT.15.4.2021) in

return, the Secretary TG RERA is to report compliance through Registrar of this Tribunal.

35. 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 RE(R&D) Act, 2016. Any aggrieved may prefer appeal under Section 58 of the RE(R&D) Act, 2016, before the Hon'ble High Court of Telangana within a period of 60 days.

The appeal stands disposed of with the above observations.

**-Sd/-**

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

LR Copy marked.

REGISTRAR
Telangana State Real Estate Appellate Tribunal