



# KERALA REAL ESTATE REGULATORY AUTHORITY

THIRUVANANTHAPURAM

**Complaint No.264/2022**

Dated 21<sup>st</sup> June, 2023

Present: Sri. M.P Mathews, Member

## Complainant

Hamza P C  
Sithara, Eramangalam Post,  
Balussery, Kozhocode -673612.

## Respondents

1. SRK Constructions,  
SRK House, Madathiparambil Complex,  
Palarivattom, Kochi – 682 025.
2. K Rasheed Malik,  
Flat No.1002. Building A Pride,  
Panorama, S N 103,  
Bhagiratwadi, Senapati Bapat Road,  
Near Chaturshringini Temple,  
Shivaji Nagar, Pune, Maharashtra-411016.
3. Unni Menon,  
General Manager - Marketing,  
SRK House, Madathiparambil Complex,  
Palarivattom, Kochi – 682 025.



## **ORDER**

1. The above Complaint was filed by one of the allottees of the project named 'Alka Skywings' located at Kakkanad, Ernakulam District, developed by SRK Constructions. The Complainants had booked an apartment vide agreement for sale dated 02/09/2008 executed between M/s Sairung Developers and Promoters Pvt.Ltd., represented by their power of attorney holder, General Manager Administration, of the 1<sup>st</sup> Respondent, land owner and the Complainant. The agreement was for purchase of 361 sq.ft of undivided interest over 46.13 Ares of property referred to as Schedule A in the agreement and apartment No.M904 to be constructed on the 9<sup>th</sup> floor of Queen West Block having a super built up area of 1245 sq.ft. along with car park and undivided share over the common areas and common facilities. The total consideration was Rs.34,51,238/- to be paid as per the payment schedule in the agreement from October 2008 to 15/12/2010. Based on the Agreement the Complainant had made an initial payment of Rs.37,727/- towards the consideration at the time of executing the agreement and subsequently a total amount of Rs.27,10,120/- was paid. The last payment was on November 2010. The reliefs sought by the Complainant is to pass an order directing the Respondents to refund the amount paid with interest @ 12% per annum from the date of last payment made by the complainants.



2. The case was posted for hearing on 29/03/2023 and the counsel who appeared was directed to implead the Promoter who had registered the said project with the Authority under section 3 of the Real Estate (Regulation development) & Act, 2016 (herein after referred as 'Act,2016'). The Complainant had produced letter dated 12/12/2019 from Alka Ventures Pvt. Ltd., the promoter who had registered the project and obtained registration No. K-RERA/PRJ/184/2021.

3. Though the case was posted on 22/05/2023, 21/06/2023 the amendment petition and impleading petition filed were defective and based on the submission of the counsel appearing for the Complainant the case was disposed off with liberty to file a fresh Complaint in the proper format by impleading the promoters as per the details available on the K-RERA website for the project 'Alka Skywings Phase I'.

Sd/-  
Sri M.P Mathews  
Member

True Copy/Forwarded By/Order

  
For Secretary (legal)

