BEFORE THE TAMIL NADU REAL ESTATE APPELLATE TRIBUNAL (TNREAT)

(Tamil Nadu, Puducherry, Andaman & Nicobar Islands)

(Under the Real Estate Regulation And Development Act 2016)

DATED 10.01.2022

Coram : Mr.Justice B.Rajendran, Chairperson
Mr.N.Balasubramanian, Judicial Member
Ms.Leena Nair, Administrative Member

M.A.Nos.183 and 194 of 2021

in

Appeal No. 58 of 2021

1. D.K.Bhagavathi Nath
2. B.Rajalakshmi ...Applicants in M.A.No.194 of 2021/
3. T.S.Manohar ... Appellants

-Vs-

M/s.BBCL Shrishti Homes LLP,
Rep. by its Designated Partner, ...Applicants in M.A.No.183 of 2021/
Vummidi Ananth .... Respondent

These applications were taken on file on 01.12.2021 and 08.12.2021 respectively and came up for final hearing on 22.12.2021 in the presence of Mr.D.K.Bhagavathi Nath, Applicant/Appellant/Party in person and M/s.AAV Partners, P.H.Manoj Pandian, N.Zahid Ahmed and Sonali J. Counsels for the Applicant/Respondent. Having heard the arguments of

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both sides through video conferencing and having stood over for consideration till this date and this Tribunal delivered the following:

COMMON ORDER

1. The home buyers preferred a complaint against the promoter for the compensation of Rupees One crore. before the Adjudicating Officer. After contest the learned Adjudicating Officer allowed the complaint in part. Aggrieved upon the same the home buyers have preferred appeal before this Tribunal. During the pendency both the home buyers and promoter preferred above applications for reception of additional evidence under Order 41 Rule 27 CPC. Both the home buyers and the promoter denied the allegations against each other.

2. Both the above said applications were filed to prove and disprove respectively the cause of delay due to rain in completion of project. Now the pending appeal is for the relief of enhancement of compensation. To decide the issue of enhancement of compensation, in this appeal, both the applications and relied documents are not necessary. Hence this Tribunal is not inclined to allow these applications.

3. In the result, both M.A.Nos.183 & 194 of 2021 are dismissed. No costs.

This Order is directly dictated to the Stenographer, typed in the computer by her, corrected and pronounced by us in the open court on 10th Day of January 2022.

Sd/- xxxx
CHAIRPERSON

Sd/- xxxx
ADMN. MEMBER

Sd/- xxxx
JUDL. MEMBER

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