



KERALA REAL ESTATE REGULATORY AUTHORITY
THIRUVANANTHAPURAM

Complaints No.140/2021

Dated 05th November 2021

Present : Sri. P. H Kurian, Chairman
Smt. Preetha P Menon, Member
Sri. M.P Mathews, Member

Complainants

Mrs. Dipika Premji Chavda
16, Gauri Park Row House
Besides Bhumi Complex
New Adajan Road, Surat-395009

Respondents

1. Kenza Holding Resorts and Developers Pvt Ltd
Kerala Office- Room No-59, 11nd Floor
City Centre, Thrissur
2. Mr. Mohamed Shihab
Chairman, Kenza Holding
7/491 A, Eracham Veetil House,
Venkitangu Post, Thrissur, Kerala
3. Mrs. Nooritha Valiyath Kader
Director- Kenza Holding
7/491 A, Eracham Veetil House,
Venkitangu Post, Thrissur, Kerala
4. Dr. Pemina Eramballi Neethish



Director- Kenza Holding
Zayed First Street, Madinath Zayed Area
Near Sama Tower, Abudhabi, UAE

5. Erachamvetttil Saidali Shahul Hameed
Overseer & Agent for Indian Offices
Kenza Holding
7/491 A, Eracham Veetil House,
Venkitangu Post, Thrissur, Kerala

ORDER

1. The above Complaint came up for hearing today. The Complainant was absent. Counsel for the Respondent Adv. Najeesh Paniyil attended the hearing.
2. The facts of the Complaint is the Respondents are Promoter and Developer of Kenza Holding Resorts and Developers Pvt Ltd. In the year 2016, the Respondents started advertisement in the connection of fully furnished hotel apartment, offering five star amenities like lake view, swimming pool, health club, conference hall, sauna, Jacuzzi, ayurvedic spa, family restaurant etc. Believing the promise, the Complainant entered into agreement with Respondent and as per the agreement Respondents assured to complete construction of the Project by 2019. But the construction has still been going on and would not be completed anytime soon. The Complainant has paid full amount of Rs 40,00,501/- but after receiving full payment, the Respondent is neither registering the property nor giving possession. The reliefs sought by the Complainant is to direct the Respondent to refund the principal amount and interest with compensation.
3. It was found that the Complainant has filed CCP No. 23/2021 before Adjudicating Officer, and the Adjudicating Officer has passed an Order on 02-11-2021, directing Respondents 1 and 2 to return Rupees 40,00,501 with



simple interest at the rate of 14.05 % from 01.08.2018 till the date of actual payment or realization. The Respondents 1 and 2 are also directed to pay a sum of Rupees 4,00,000/- towards compensation and Rupees 5000/- towards cost of the proceedings to the Complainant. The copy of the said Order is produced by the Counsel for the Respondent.

4. Hence the above Complaint need not be entertained further. Complaint is dismissed.

Sd/-
Smt. Preetha Menon
Member

Sd/-
Sri M.P Mathews
Member

Sd/-
Sri. P H Kurian
Chairman

/True Copy/Forwarded By/Order/



Secretary (Legal)