



## REAL ESTATE REGULATORY AUTHORITY

THIRUVANANTHAPURAM

**Complaint No: 3/2021**

Dated 06<sup>th</sup> August, 2021

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

### **Complainant**

Sreekanth P.B  
Panackal House,  
Pala P.O  
Kottayam, Kerala  
Pincode- 686575

### **Respondents**

Confident Project India Pvt. Ltd.,  
Confident House, TC 13/1151 (7)  
Kannamoola, Medical College P.O  
Thiruvananthapuram  
Kerala- 695011

(Represented by its Managing Director, Mr. Joseph T A).

### **ORDER**

1. The Complainant and his wife jointly purchased an apartment in the project named 'Confident Avior' in B Block located at Ayiroopara Village, Thiruvananthapuram District developed by the Respondent Company Confident Projects India Pvt. Ltd. As per the Advertisement dated

06/08/2015 the common amenities like swimming pool, fitness centre, 1KVA Generator back up in each Apartment, conference room, games room, visitors lobby, children's play area, intercom facility, drivers / servants toilet, 24 hrs security, automated shoe shine facility, recreation hall, visitors car park, centralized gas connection, lush greenery, bio gas plant, car wash area were promised by the Respondent. But most of the said common amenities / facilities are not provided by the Respondents.

2. The Reliefs sought by the Complainant is to direct the Respondent / builder to provide common amenities like conference room, biogas plant, car wash area, automated shoe shine facility, to arrange KWA connection and sewage connection, hygiene waste management system according to waste management company, garbage duct to be made functional, sufficient eco composer bins to be provided as per the waste management company recommendations or get a confirmation from waste management company available sufficient for 144 nos. of flats, leakage in basement retaining wall to be arrested properly, project to be handed over to the association only after completing whole works as per the agreement / advertisement and approved drawings.

3. The Respondent file counter statement and the Complainant has filed rejoinder. The Authority vide interim order dated 20/04/2021 directed the Respondent to enable the registration of the Association of Allottees and shall handover the completed common amenities to registered association of Allottees through a detailed mahazer and file compliance report along with the copy of mahazer. On 21/06/2021 the Complainant informed the Authority that he is withdrawing the Complaint as the

Association is not cooperating with him. The Respondent sought one month time for complying the directions vide order dated 20/04/2021.

4. In compliance of the said order dated 20/04/2021, the Respondent submitted mahazer signed by both the association owners (represented by the president) and the Respondent. As per the Mahazer, the Respondent called a meeting with the Allottees and Residence Association was formed in the name 'Arior Apartments Owners Association' and stated that the common amenities are provided and handed over to the Association which includes, conference room equipped with furniture and electric point, car wash area and automated shoeshine facility. It is also stated that Kerala water connection facility was activated in March 2021 and implemented sewage treatment plant as per Pollution control Board norms with consent to operate. They also implemented operational maintenance contract to an external agency to take care of its working. Waste management system was also provided as per Credai Clean City movement and the leakage in basement floor is fully rectified.


5. In view of the said Mahazer signed by the Respondent / Builder and the 'Arior Apartments Owners Association' showing handing over of all the common amenities promised to the Allottees, the matter stands closed.

Sd/-  
Smt. Preetha P Menon  
Member

Sd/-  
Sri. P H Kurian  
Chairman

/True Copy/Forwarded By/Order/



  
Secretary (Legal)