



**KERALA REAL ESTATE REGULATORY AUTHORITY  
THIRUVANANTHAPURAM**

**Complaint Nos. 78/2022**

Present: Sri. P H Kurian, Chairman

Dated 18<sup>th</sup> November, 2022

**Complainants**

Jayarajan Thayyullathil  
H No. 58/21,  
Thayyullathil,  
Puthur P O  
Vadakara, Kozhikode-673104

**Respondent**

1. Luthufudeen  
Managing Director  
Alfa One Global Builders  
Grand Plaza Building, Fort Road,  
Kannur
2. Alfa One Global Builders  
Grand Plaza Building, Fort Road,  
Kannur



## ORDER

1. The Complaint of the Complainant is as follows- The Complainant paid Rs. 1 Lakh by way of cheque to the Respondent Company's Sales Officer Mr. Shafeeq, Mr. Manoj Vala and General manager Mr. Padmakumar on 13/12/2009 in the presence of Bank Manager of the Vadakara Co-operative bank. According to the Complainant, the payment was the booking charges for 1749 sq ft flat at the first floor of the building named 'Aquarium' developed by the Respondent Company. He also submitted a receipt/voucher from the company and it indicates that he has booked flat in the Aquarium project. The Complainant submitted that the Respondent had also collected another blank cheque which is not seen submitted to the bank or returned to the Complainant. When the Complainant enquired about the flat it was known that the flat is within 500 mtrs from the sea and it may be a violation of Coastal Zone Regulations. As it was ready to occupy flat it was told that there is no need of an agreement between the Complainant and the Respondents. Then also, they sold the said flat to another person on the condition that profit will be shared with the Complainant. The Respondents have failed to pay back his booking amount. He prayed for return of the booking amount with 12 years interest and compensation.



2. The Complaint came up for hearing on 18/11/2022. The Complainant was present. Several notices were sent by registered post to the Respondent "M/s Alpha One Global Builders" at the given address but the same was returned as 'Addressee Left'. The Complainant was asked to carry out substitute service through newspaper publication, but the Complainant submitted that he is not in a position to raise money for the same.
3. From the given facts and circumstances mentioned above, this Authority finds that the matter cannot proceed without any valuable evidence and hence the Complaint is liable to be dismissed. However, the Complainant has the liberty to approach the Authority again in the matter with proper supporting evidence and after getting the correct address and contact details of the Respondent/ promoter.

Hence the above Complaint stands dismissed.

Sd/-  
Sri. P H Kurian  
Chairman

/True Copy/Forwarded By/Order/



Secretary (Legal)

## APPENDIX

### Documents submitted by the Complainant

Exhibit A1- Copy of the letter from the Respondent Company dated 01/01/2010 & 05/07/2012.

Exhibit A2- Copy of the Sales Receipt Voucher issued by the Respondent Company to the Complainant.

