

IN THE KARNATAKA REAL ESTATE APPELATE TRIBUNAL,
BENGALURU

DATED THIS THE 23RD DAY OF JANUARY 2020

PRESENT

HON'BLE SRI JUSTICE B SREENIVASE GOWDA, CHAIRMAN

AND

HON'BLE SRI K P DINESH, JUDICIAL MEMBER

AND

HON'BLE SRI P S SOMASHEKAR, ADMINISTRATIVE MEMBER

APPEAL (K-REAT) NO. 128/2020

(OLD RERA. APL No.168 of 2019)

BETWEEN:

M/s Parkway Homes LLP
No.10, 5A Block, 17th B Main Road,
Koromangla, Bengaluru -560 095
Represented by its Authorised Representative
Komala K Reddy,
D/o G V K Reddy, Aged about 40 years

:APPELLANT

(By Shri Giridhar, Adv)

AND

1. Sri Goutham Sathish
A-403, Salarpuria Sanctity, Opp. Wipro
Corporate Office, Sarjapur Road,
Bengaluru – 560 035
2. The Adjudicating Officer.
Real Estate Regulatory Authority
2nd floor, sliver Jubilee Block ,
Unity Building, CSI Compound,
3rd Cross, Mission Road, Bengaluru-560 027
Represented by its Secretary.

:RESPONDENTS

(Sri M V Prashanth Advocate for Respondent-2)

This Appeal is filed under Section 44 of the Real Estate (Regulation and Development) Act, 2016 before the Karnataka Appellate Tribunal, Bengaluru, to set aside the order dated 22nd July 2019 in CMP/190410/0002598 passed by the Adjudicating Officer, RERA respondent-2. This appeal was transferred to this Tribunal on 02.01.2020 and renumbered as Appeal No. (K-REAT) 128/2020.

This appeal coming on for orders this day, the Chairman, made the following:

JUDGMENT

As there was no representation for the Appellant on the previous date of hearing, the appeal was ordered to be listed today.

Sri M V Prashanth, learned Counsel appearing for R2 submits that the matter has been covered by the judgment of this Tribunal dated 08.01.2020 in Appeal (KREAT) No. 126/2020 (Old RERA Appeal No. 164/2019) (Parkway Homes LLP Vs. Vishaka Priyadarshini & another) against the Appellant and prays for dismissal of the appeal.

Learned counsel appearing for the Respondent No.1 had made a submission on the previous date of hearing that since the matter has been settled, R1 is not extending co-operation with them for concluding the proceedings and they may be permitted to retire from appearing for R1.

Learned Counsel appearing for R1 was permitted to retire from the case.

It is to be noted that similar appeals preferred by the Appellant have already been dismissed, following the Judgment of this Tribunal in Appeal (KREAT) No. 126/2020 (Old RERA Appeal No. 164/2019) (Parkway Homes LLP Vs. Vishaka Priyadarshini & another).

In view of the above, this appeal does not survive for consideration and is dismissed accordingly.

In view of dismissal of main appeal IAs, if any, do not survive for consideration and they are ordered to be closed.

There is no order as to costs.

Sd/-
CHAIRMAN

Sd/-
JUDICIAL MEMBER

Sd/
ADMINISTRATIVE MEMBER