

**IN THE KARNATAKA REAL ESTATE APPELATE TRIBUNAL,
BENGALURU**

DATED THIS THE 22ND 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. 173/2020

(OLD RERA. APL No.244 of 2019)

BETWEEN:

M/s SJR Prime Corporation Pvt. Ltd
A Company incorporated under the provisions of
The Companies Act of 1956
Having its registered Office at
The Hub, Ground Floor,
Sy. No. 8/2, Sarjapur Road,
Ambalipura, VarthurHobli,
Bengaluru- 560 012
Represented by its Legal Head
Ms. Komala K. Reddy

:APPELLANT

(By Smt Ruthika, Adv for M/s AKS Law Associates)

AND

1. 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.

2. Mrs. Manubharati Mishra

3. Mr. Vipin Sharma

Both residing at:
Flat 101, House No. 141,
Celebrity Paradise Layout,
Electronic City Ph 1,
Bengaluru – 560 100

:RESPONDENTS

(Sri M V Prashanth Advocate for Respondent-1)

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/190224/0002279 passed by the Adjudicating Officers, RERA respondent-1. This appeal was transferred to this Tribunal on 02.01.2020 and renumbered as Appeal No. (K-REAT) 173/2020.

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

JUDGMENT

Smt. Ruthika for M/s AKS Law Associates, learned Counsel appearing for the Appellant, fairly submits that the matter is already covered by the judgment of this Tribunal dated 08.01.2020 passed in Appeal (KREAT) No. 126/2020 (Old RERA Appeal No. 164/2019) (Parkway Homes LLP Vs. Vishaka Priyadarshini & another), and prays for disposal of the appeal in terms of the said judgment.

Sri M V Prashanth learned Counsel appearing for Respondent No.1 submits that in the light of the above judgment of this Tribunal, the appeal does not survive for consideration and it may be dismissed.

In view of our judgment dated 08.01.2020 passed in Appeal (KREAT) No. 126/2020 (Old RERA Appeal No. 164/2019) (Parkway Homes LLP Vs. Vishaka Priyadarshini & another), this appeal does not survive for consideration and is dismissed accordingly.

In view of dismissal of main Appeal, issuance of notice to R2 & R3 is unnecessary and therefore dispensed with and all IAs stand closed as they do not survive for consideration.

There is no order as to costs.

**Sd/-
CHAIRMAN**

**Sd/-
JUDICIAL MEMBER**

**Sd/-
ADMINISTRATIVE MEMBER**