

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

**DATED THIS THE 05<sup>th</sup> DAY OF FEBRUARY 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. 110/2020**

**(OLD RERA. APL No.146 of 2019)**

**BETWEEN:**

M/s SJR Prime Corporation Pvt. Ltd.  
No.1, SJR Primus, 7<sup>th</sup> Floor,  
Koramangala Industrial Layout,  
7<sup>th</sup> Block, Bangalore – 560 095  
Represented by its authorized representative  
Komala K Reddy  
D/o G V K Reddy  
Aged about 40 years  
Office at:  
No. 1, SJR Primus, 7<sup>th</sup> Floor,  
Koramangala Industrial Layout,  
7<sup>th</sup> Block, Bangalore – 560 095

**:APPELLANT**

(By M/s Crestlaw Partners, Adv)

**AND**

1. Mr. Karan Sharma  
Aged about 33 years  
S/o Kailash Nath Sharma  
2A, Victor Plaza, 4<sup>th</sup> Cross,  
Vinayak Nagar B Block,  
Bengaluru Urban – 560 017.

**2. Real Estate Regulatory Authority**

2<sup>nd</sup> floor, sliver Jubilee Block ,  
Unity Building, CSI Compound,  
3<sup>rd</sup> Cross, Mission Road, Bengaluru-560 027

Represented by its Secretary

**:RESPONDENTS**

(Mr. Vikas Mahendra, Adv for M/s Keystone Partners for Respondent-1

(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 30<sup>th</sup> January 2019 in CMP/171204/0000299 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) 110/2020.

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

**JUDGMENT**

A Memo is filed for withdrawal of the appeal on the ground that the matter has been settled out of Court with a prayer to direct the RERA to refund the amount deposited by the Appellant with the RERA while preferring the appeal before the Karnataka Appellate Tribunal (KAT).

Sri Vikas Mahendra, learned Counsel appearing for 1<sup>st</sup> Respondent and Sri M V Prashanth, learned Counsel appearing for 2<sup>nd</sup> Respondent submit that they have no objection for allowing the Memo.

Memo is taken record.

Accordingly, appeal is dismissed as withdrawn for the reasons stated in the Memo. Whatever amount the appellant has deposited with the RERA towards 30% of the compensation amount awarded by RERA while preferring the above appeal before the KAT, is ordered to be refunded by RERA in favour of the appellant.

Office is directed to return the original records.

**Sd/-**  
**HON'BLE CHAIRMAN**

**Sd/-**  
**HON'BLE JUDICIAL MEMBER**

**Sd/-**  
**HON'BLE ADMINISTRATIVE MEMBER**