

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

DATED THIS THE 14th 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. 197/2020

(OLD RERA. APL No. 268 of 2019)

BETWEEN:

M/s SJR Prime Corporation Pvt. Ltd.
No.1, SJR Primus, 7th Floor,
Koramangala Industrial Layout,
7th Block, Bangalore – 560 095
Represented by its authorized representative
Rekha Gandhi
D/o Late B L Gandhi
Aged about 47 years
Office at:
No. 1, SJR Primus, 7th Floor,
Koramangala Industrial Layout,
7th Block, Bangalore – 560 095

:APPELLANT

(By Sri Aditya Venugopalan for M/s Crestlaw Partners, Adv)

AND

1. Mr. Ritesh Kothari
A 1302 Octacrest,
Lokhandwala Kandivali East,
Mumbai Suburban,
Maharashtra – 400 101

2. The Karnataka 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 20th August 2019 in CMP/180414/0000731 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) 197/2020.

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

JUDGMENT

This appeal is listed for orders on office objection.

At this stage, a Memo for withdrawal is filed by the learned Counsel for the Appellant praying the Tribunal to dismiss the appeal as not pressed with further prayer to direct the RERA to refund 30% of the amount deposited by the appellant towards delay compensation while preferring this appeal before KAT.

Memo is placed on record.

Accordingly and for the reasons stated in the Memo, appeal is dismissed as withdrawn.

RERA is directed to refund the appellant whatever amount they have deposited towards delay compensation while preferring this appeal before KAT.

Sd/-
HON'BLE CHAIRMAN

Sd/-
HON'BLE JUDICIAL MEMBER

Sd/-
HON'BLE ADMINISTRATIVE MEMBER