

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

**DATED THIS THE 14<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. 186/2020**

**(OLD RERA. APL No. 257 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  
Rekha Gandhi  
D/o Late B L Gandhi  
Aged about 47 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 Sri Aditya Venugopalan for M/s Crestlaw Partners, Adv)

**AND**

1. Mr.Rajeev Kumar,  
813/B1, Second Floor, 4<sup>th</sup> Cross,  
27<sup>th</sup> Main, BTM Layout, II Stage,  
Bengaluru – 560 076

**2.** The Karnataka 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**

(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 20<sup>th</sup> August 2019 in CMP/180409/0000673 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) 186/2020.

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Accordingly and for the reasons stated in the Memo, appeal is dismissed as withdrawn.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