

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

DATED THIS THE 6th DAY OF OCTOBER 2020

PRESENT

HON'BLE SRI K P DINESH, JUDICIAL MEMBER

AND

HON'BLE SRI P S SOMASHEKAR, ADMINISTRATIVE MEMBER

APPEAL (K-REAT) F.R No.4/2020

BETWEEN:

Sri Nitesh Shetty
Nitesh Columbus Square,
Nitesh Estates Limited Level 7
Nitesh Timesquare,
No.8, M.G. Road,
Bengaluru-560 001.

:APPELLANT

(By Sri Samarth Sridhar for M/s Shety & Hegde Associates, Adv)

AND

Sri M.R. Satyanarayan,
No.428, 4th Main Road, HMT Layout,
Anandnagar Post Office,
Bengaluru-560 024.

:RESPONDENT

This Appeal is filed under Section 44 of the Real Estate (Regulation and Development) Act, 2016 before the Karnataka Real Estate Appellate Tribunal, Bengaluru, to set aside the order dated 05.09.2018 in CMP/180321/0000603 passed by the Adjudicating Officer, RERA etc.,

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

JUDGMENT

Sri Samarth Sridhar learned counsel for the Appellant is present and submitted that the appellant requires another 8 weeks time to comply with the office objection regarding statutory deposit of 30% of the penalty amount. Sri Gopinath, vice president (Legal) of the appellant company is also present.

Admittedly, the appeal was filed on 16.01.2020 before this Tribunal, Bangalore. The learned counsel for the appellant goes on praying time to comply the office objection regarding the deposit of 30% of the penalty amount on one pretext or the other. However till date the office objections has not been complied and case is today posted as last chance to comply with Section 43 (5) of the Act. Hence, we are of the view that there is no good ground to grant further time and accordingly, appeal is rejected for non compliance of Section 43 (5) of the Act.

Sd/-
HON'BLE JUDICIAL MEMBER

Sd/-
HON'BLE ADMINISTRATIVE MEMBER