

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

DATED THIS THE 21st DAY OF OCTOBER 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.316/2020

BETWEEN:

Rahul Gore S/o Nandakumar,
Age about 43 years,
R/at 302, Intermodal House,
Rustam Bagh, 3rd Cross,
Murugesh Palya,
Bengaluru – 560 017

:APPELLANT

(By Sri Ravi V, Adv)

AND

1. M/s Mantri Developers (P) Limited.
Mantri Developers Pvt Ltd.
Mantri House #41, Vittal Mallya Road,
Bangalore – 560 001, Karnataka
2. Real Estate Regulatory Authority Karnataka,
2nd Floor, Silver Jubilee Block,
Unity Building, CSI Compound,
3rd Cross, Mission Road,
Bengaluru, Karnataka-560027
Represented by Adjudicating Officer

:RESPONDENTS

(Sri S N Ashwathnarayan, Adv for Respondent)

This Appeal is filed under Section 44 of the Real Estate (Regulation and Development) Act, 2016, before this Tribunal to set aside the order dated 23rd September, 2019 in CMP/190305/0002188 passed by the Adjudicating Officer, RERA Respondent.

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

JUDGMENT

Sri Sudhindra for Sri S.N.Aswanathnarayan, learned counsel has filed Memo of appearance to appear on behalf of R2-RERA and it is taken on record.

Office to show his name as learned counsel appearing for R2-RERA wherever it is necessary.

The complainant having not fully satisfied with the impugned order passed by the learned Adjudicating Officer, has preferred this appeal on 11.3.2020.

Office on scrutiny of the appeal papers had notified the following objections:

- 1) Appeal memo is not in the prescribed Form R.
- 2) Vakalath not properly filled.
- 3) Affidavit in support of IA-II not identified by Advocate
- 4) List of enclosure column not mentioned in the Appeal memo.

- 5) Respondent before the impugned order and appeal Memo does not tally.
- 6) Provision of law not properly mentioned in IA-III and IA-I.

Since the appellant failed to comply office objections even after a long time, office was left with no other option, but to list the appeal before the Court for orders on 22.9.2020 on office objections.

Inspite of granting sufficient time to the appellant from 11.3.2020 upto 21.10.2020, appellant did not comply office objections nor appeared before the Tribunal.

In view of the above, appeal is **rejected** for non-compliance of office objections.

**Sd/-
HON'BLE CHAIRMAN**

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

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