

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

DATED THIS THE 04TH DAY OF FEBRUARY 2021

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. 160/2020
(OLD RERA APPEAL No.231/2019)**

BETWEEN

M/s. Shrivision Towers Private Limited,
No.40/43, 8th Main, 4th Cross,
RMV Extension, Sadashiva Nagar,
Bengaluru-560 080.
Represented by its
Authorised Signatory-Naveen Kumar J,
S/o Late Janardhan Rao,
Age: 43 years.

Appellant

(By M/s. JSM Law Partners, Adv., for appellant)

AND

1. The Adjudicating Officer,
The Karnataka Real Estate
Regulatory Authority,
Second Floor,
Silver Jubilee Block,
Unity Building, CSI Compound,
3rd Cross, Mission Road,
Bengaluru-560 027.

2. Narendra Kivanda,
Age: 31 years,
R/o No.1338, A-4,
60 Feet Road, D Block,
AECS Layout,
Kundanhalli,
Bengaluru-560 037.

Respondents

(R-1 is served, but un-represented)
(R-2: service of notice is held sufficient)

This Appeal is filed under Section 44 of the Real Estate (Regulation and Development) Act, 2016, before the Interim Tribunal (KAT) to set aside the order dated 14.08.2019 passed in Complaint No.CMP/190628/0003417 by respondent No.1 -Adjudicating Officer and later transferred to this Tribunal on 02.01.2020 and re-numbered as Appeal (K-REAT) No.160/2020.

This Appeal, coming on for hearing on I.A., this day, the Hon'ble Chairman, delivered the following:

JUDGMENT

Learned Counsel for the appellant has filed a memo praying to withdraw the Appeal on the ground that the appellant/promoter and respondent No.2/allottee have got their dispute settled outside the Court and prayed for refund of the amount deposited by the appellant with this Tribunal while preferring the Appeal.

2. There is no representation for respondent No.1/RERA.

3. Accordingly, and for the reasons stated in the memo, Appeal is dismissed as withdrawn.

4. Registry is hereby directed to return the amount deposited by the appellant with the Tribunal while preferring the above Appeal by issuing a cheque or DD in the name of Shrivision Towers Private Limited, as stated in the memo, within two weeks from today, on appellant furnishing necessary documents and declaration for TDS.

**Sd/-
HON'BLE CHAIRMAN**

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

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