

**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. 87/2020

(OLD RERA APPEAL No.91/2019)

BETWEEN

M/s. Shriram Green Field Phase-I (A Project of)
M/s. Shrivision Towers Private Limited,
No.40/43, 8th Main, 4th Cross,
RMV Extension, Sadashivnagar,
Bengaluru-560 080.
Represented by its
Authorised Signatory-B S Nagaraj,
S/o late B K Subba Rao,
Age: 71 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. Mr. Arun Kumar,
S/o Mr. Hira Singh,
Age: 42 years,
R/a Flat No.C-401,
Difiner Kingdom,
Bomenahalli Villae,
Begaluru-560 049.

: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 24.05.2019 passed in Complaint No.CMP/181216/0001763 by respondent No.1 -Adjudicating Officer and later transferred to this Tribunal on 02.01.2020 and re-numbered as Appeal (K-REAT) No.87/2020.

This Appeal, coming on for hearing this day, the Hon'ble Chairman, made 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 got their dispute settled outside the Court and prayed for directing RERA to refund of the amount deposited by the appellant in the name of Chairman, RERA, while preferring the above Appeal before the Interim Tribunal (KAT).

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 Accordingly, and for the reasons stated in the memo, Appeal is dismissed as withdrawn.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. The Secretary, RERA, is hereby directed to return the amount deposited by the appellant in the name of the Chairman, RERA, while preferring the above Appeal before the Interim Tribunal (KAT), by issuing a cheque or DD in the name of Srivision Towers Pvt. Ltd., as stated in the memo, at any rate within four weeks from the date of receipt of copy of this order, failing which the amount ordered to be refunded will carry interest at 10.75% p.m. till the date of refund.

Sd/-
HON'BLE CHAIRMAN

Sd/-
HON'BLE JUDICIAL MEMBER

Sd/-
HON'BLE ADMINISTRATIVE MEMBER