

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

DATED THIS THE 10TH 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. 250/2020

BETWEEN:

Godrej Home Constructions Pvt Ltd.,
No.80, Hulkul Ascent,
2nd Cross, Lavelle Road,
Bengaluru - 560 001.

Now at Prestige Obelisk,
10th Floor, Kasturba Road,
Bengaluru, Karnataka - 560 001
Represented by its authorised signatory
Ms. Padmavathi L.

:APPELLANT

(By Smt Manesha Kongovi for M/s Argus Partners, Advocate)

AND

1. Satheesha A L
#1795, BCCHS Layout,
3rd Cross, Sector B,
Raghuvanahalli, New Kanakapura Road,
Bengaluru- 560 109
2. Asha Bhatt,
#1795, BCCHS Layout,
3rd Cross, Sector B,
Raghuvanahalli, New Kanakapura Road,
Bengaluru- 560 109

3. The Adjudicating Officer,
Constituted under the Real Estate
(Regulation and Development),
Act, 2016, having its office at
No.1/14, 2nd floor, Silver Jubilee Block,
Unity Building, CSI Compound,
3rd Cross, Mission Road,
Bengaluru-560 027
Represented by its Secretary

:RESPONDENTS

(Sri Satheesha A L, R1-Party-in-person)

(Smt Asha Bhat, R2- Party-in-person)

(R3 served, unrepresented)

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 30th November, 2019 in CMP/180401/0000636 passed by the Adjudicating Officer, RERA Respondent No. 3.

This appeal coming on for hearing this day, the Chairman, passed the following:

JUDGMENT

The appellant/promoter, aggrieved by the impugned order dated 30.11.2019 passed in Complaint No.180401/0000636 has preferred the present Appeal before this Tribunal.

2. Today, a memo signed by the promoter, learned Counsel appearing for the promoter and also by respondent Nos.1 and 2, is filed seeking to withdraw the Appeal with a prayer to refund the amount deposited.

3. Respondent Nos.1 and 2, who are present in the Court, submitted that they have no objection for granting permission to the appellant to withdraw the Appeal and to withdraw the amount

deposited. They have signed the memo and also the order sheet of the Appeal memo for having present in the Court.

4. Their submission is placed on record.

5. Accordingly and for the reasons stated in the memo, the following :

ORDER

1. Appeal is dismissed as withdrawn.
2. The Registry is hereby directed to refund the amount deposited by the appellant by issuing a cheque or DD in the name of the appellant ie., Godrej Home Constructions Pvt. Ltd.
3. The cheque or DD may be handed over to the person who has signed the Appeal memo and the vakalath on behalf of the appellant-company.
4. Further, Registry to return the records, if any, received to the concerned.

**Sd/-
HON'BLE CHAIRMAN**

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

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