

**IN THE KARNATAKA REAL ESTATE APPELATE TRIBUNAL,  
BENGALURU**  
**DATED THIS THE 16<sup>th</sup> 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.358/2020**

**BETWEEN:**

M/s Shrivision Towers Private Limited  
No. 31, 2<sup>nd</sup> Main, T. Chowdiah Road,  
Near Bashyam Circle,  
Sadashivanagar,  
Bengaluru- 560 080.

**:APPELLANT**

(Rep. by M/s JSM Law Partners, Advocate)

**AND**

1. The Karnataka Real Estate Regulatory Authority  
2<sup>nd</sup> Floor, Silver Jubilee Block,  
Unity Building, CSI Compound,  
Bengaluru -560 027.  
Represented by its Secretary

2. Gautam Hazarika  
No. 305, Mathrusree Silver Homes,  
4<sup>th</sup> Cross, Abbaih Reddy Layout,  
Kaggadasapura,  
Bengaluru-560 093.

**:RESPONDENTS**

(R1 & R2 served, unrepresented)

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 impugned order dated 06.09.2019, in CMP/190414/0002585 passed by the Adjudicating officer, RERA- Respondent.

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

### **J U D G M E N T**

Learned counsel for the appellant has filed a memo to withdraw the appeal on the ground that Respondent has agreed to receive Rs.1,45,443/- towards full and final settlement of his claim as settled between the parties. Along with the memo a letter addressed by allottee to the promoter is also enclosed. The memo and letter are taken on record.

Accordingly and for the reasons stated in the memo, appeal is dismissed as withdrawn.

In view of dismissal of appeal as withdrawn all IAs, if any, pending stand disposed of as they do not survive for consideration.

Registry is directed to refund the amount deposited by the appellant with this Tribunal while preferring the above appeal in non-compliance of proviso to Section 43(5) of the RERA Act, along with interest, if any, accrued thereon but by deducting TDS in favour of the appellant by issuing cheque or DD in the name of person to be stated

by the appellant with a memo within two weeks from the date of appellant furnishing necessary documents.

Registry shall return the records of RERA if received.

**Sd/-  
HON'BLE CHAIRMAN**

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

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

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