

KARNATAKA STATE LEGAL SERVICES AUTHORITY
BEFORE THE LOK ADALAT
IN THE KARNATAKA REAL ESTATE APPELLATE TRIBUNAL
BENGALURU

DATED THIS THE 12TH DAY OF MARCH, 2022

:CONCILIATORS PRESENT:

HON'BLE SRI JUSTICE B. SREENIVASE GOWDA
AND

SRI PRASHANTH MIRLE.V, CONCILIATOR

APPEAL (K-REAT) NO. 20/2022

Between:

1. Sri Dinesh D Ranka,
S/o Late Devaraj H Ranka,
Aged about 67 years,
Residing at: No. 634,
Ranka Park, 4-5-6,
Lalbagh Road,
Bengaluru – 560 027

Wrongly shown as:
No. 4, Ranka Chamber,
31, Cunningham Road,
Bengaluru – 560 052

:APPELLANT

(By Sri G. L. Vishwanath, Advocate)

And:

1. Sri Arvind Gaur
Aged major
R /at : No.41, 2nd Main,
2nd Cross, CPV Block,
Ganganagar, RT Nagar,
Bengaluru – 560 032.
2. The Secretary,
Real Estate Regulatory Authority,
No.1/14, Ground Floor,

Silver Jubilee Block, Unity Building,
CSI Compound, 3rd cross, Mission road,
Bengaluru – 560 027

Represented by its Secretary

:RESPONDENTS

(By Sri Vishwanath Kanavi, Advocate for R1)

(R2- RERA, served, unrepresented)

The appellant has filed the above appeal under Section 44 (1) of the Real Estate (Regulation and Development) Act, 2016, praying to set aside the impugned order dated 26.07.2021 passed by the learned Adjudicating Officer, RERA, Bengaluru in CMP/191225/0005042.

This appeal coming on for recording settlement before National Lok Adalat, this day, the following conciliation order is passed:

CONCILIATION ORDER

The learned counsel appearing for the appellant and the Respondent No. 1 are present.

2. After due discussions and deliberations, the matter is settled. The appellant has already executed registered sale deed jointly in favour of the 1st respondent and his wife who are the allottees in respect of the flat bearing No. D-707 in the project "MIRABILIS. Further, the appellant has agreed to pay a sum of Rs. 9,00,000/- (Rupees nine lakhs only) and has undertaken to pay the remaining amount of Rs. 21,418/- (Rupees Twenty one thousand four hundred and eighteen only) by issuing a separate cheque to the 1st respondent and his wife towards full and final settlement of their claim and the appellant has consented for the Tribunal to direct the Registrar to release the amount deposited by the appellant with this Tribunal at the time of filing of the appeal, in favour of 1st Respondent and

handover the cheque to the learned counsel for the 1st Respondent/allottee.

3. A Joint Memo signed by the appellant, Respondent No. 1-allottee, learned counsel for the appellant-promoter, Respondent No. 1-allottee is taken on record.

4. Both parties to the proceedings have agreed that they have no claim whatsoever against each other in respect of the subject matter of the above complaint and appeal.

5. The Registry of this Tribunal is hereby directed to release the amount deposited by the appellant with this Tribunal while preferring the appeal in part compliance of proviso to Section 43(5) of the RERA Act, along with interest if any accrued thereon by issuing a cheque/Banker's cheque/D.D in the favour of the 1st Respondent/allottee and shall hand over the same to the learned counsel for the 1st Respondent/allottee, who has signed the Joint memo after following due procedure required for the same.

6. This appeal stands disposed of in terms of the Joint Memo. Joint Memo signed by both the parties and their Advocates is ordered to be treated as part and parcel of this order.

**Sd/-
HON'BLE CHAIRMAN**

**Sd/-
ADVOCATE - CONCILIATOR**