

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. 387/2020

Between:

Zuari Garden City – Kaveri Apartments,
Zuari Infra world India Ltd.,
Adventz centre, 1st Floor, 28,
Union Street, Cubbon Road,
Bengaluru – 560 001
Represented by its
Chief financial Officer
Mr. Anshul Amit Bansal

:APPELLANT

(By Sri Nagaraju, Advocate)

And:

1. B.V. Meenakshi,
No. 2, "D"Block, 8th Main,
3rd Stage, Vijayanagar,
Mysore – 570 017
2. The Karnataka Real Estate Regulatory Authority,
2nd Floor, Silver Jubilee Block,
Unity Building, CSI Compound,
3rd Cross, Mission Road,
Bengaluru – 560 027

:RESPONDENTS

(M/s Factum Law, Advocates 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 22.10.2019 passed by the learned Adjudicating Officer, RERA, Bengaluru in CMP/190204/0002050.

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

CONCILIATION ORDER

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

2. After due discussions and deliberations, the matter is settled. The appellant-promoter has agreed to obtain and furnish the occupancy certificate of the building in respect of the apartment in question is situated and handover possession of the apartment and car parking space by completing the same in all respects including permanent water and electricity connections to the flat of the 1st Respondent on or before 30.06.2022. Further, the appellant has agreed that within 15 days of issuance of occupancy certificate, he shall issue notice to the 1st Respondent by E-mail inviting them to execute and register sale deed towards sale of apartment, car parking space and undivided interest in the land owner which the project is being constructed in favour of the 1st respondent and appellant shall execute the sale deed within 60 days of issuing such

notice. The cost of registration and stamp duty applicable to registration of the sale deed shall be borne by the 1st Respondent. At the time of registration of the sale deed the 1st Respondent shall pay Rs. 1,00,000/- (Rupees one lakh only) to the appellant by way of DD or cheque). Respondent No.1 has no objection to release the amount deposited by the appellant with this Tribunal while preferring the appeal in favour of the appellant.

3. The Joint Memo signed by the appellant, learned counsel appearing for the appellant, the Respondent No. 1 and learned counsel appearing for Respondent No. 1 is taken on record.

4. 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 return 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 name of the appellant company and shall hand over the same to the Authorized signatory of the appellant, 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**

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