

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

DATED THIS THE 29th DAY OF JULY, 2022

PRESENT

HON'BLE SRI JUSTICE B SREENIVASE GOWDA, CHAIRMAN

AND

HON'BLE SRI P S SOMASHEKAR, ADMINISTRATIVE MEMBER

Appeal (K-REAT) NO. 30/2022

C/w

Appeal (K-REAT) NO. 31/2022

IN Appeal (K-REAT) NO. 30/2022

BETWEEN:

1. Sri. Sumeru Housing Private Limited,
Represented by its Director
Sri. Krishnan Annaswamy.
2. Sri. S. Nagarajan,
Director.
3. Sri. Krishnan Annaswamy,
Appellant Nos. 1 to 3 at
No.33-44/1-2, 8th Main, 4th Cross,
RMV extension, Sadashiv Nagar,
Bangalore – 560 080.

Presently at No.A-1008, Tower-2,
Shriram Symphonye,
Holiday Village Road,
Off Kanakapura Road,
Bengaluru – 560 062.

:Appellants

(By Sri Ravikumar. B.R, Advocate)

AND

1. The Secretary,
Karnataka Real Estate Regulatory Authority,
Bengaluru,
No.1/14, 2nd Floor, Silver Jubilee Block,
Unity Building Backside, CSI Compound,
3rd Cross, Mission Road,
Bengaluru -560 027.
2. Haresh Patil,
No. B-103, 1st Floor,
Samethana Lake Front Apartment,
Chikkatirupathi Road, Samethenahalli,
Bengaluru Rural-560 067.

: Respondents

(R.1-RERA served, unrepresented
Miss Ananya Kumari for M/s Shendge & Shendge Associates,
Advocate for R-2)

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Represented by its Director
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2. Sri. S. Nagarajan,
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AND

1. The Secretary,
Karnataka Real Estate Regulatory Authority,
Bengaluru,
No.1/14, 2nd Floor, Silver Jubilee Block,
Unity Building Backside, CSI Compound,
3rd Cross, Mission Road,
Bengaluru -560027.
2. Reema Ashvitha Fernandes,
Flat No.A-801,
Samethana Lakefront Apartment,
Samethana Halli,
Bengaluru Rural-560 067.

: Respondents

(R-1 RERA served, unrepresented
R.2- party-in-person present)

These appeals are filed under Section 44 of the Real Estate (Regulation and Development) Act, 2016 praying to set aside the common order dated 27.04.2021 passed by the Karnataka Real Estate Regulatory Authority in complaint Nos. CMP/180613/0000914 and CMP/UR/190314/0002325 respectively.

These appeals coming on for arguments, this day, the Hon'ble Chairman, delivered the following:

JUDGMENT

Miss Ananya Kumari for M/s Shendge & Shendge Associates, learned counsel appearing for 2nd respondent-allottee in appeal No.30/2022 and Smt. Reema Ashvitha Fernandes (2nd respondent-allottee), who appears as party-in-person in appeal No.31/2022

submit that the appellant-promoter is frequently not representing the appeals with a malafide intention to drag on the proceedings and prays this Tribunal to dismiss the appeals.

2. A perusal of the order sheet indicates that the appellant has remained absent on 17.03.2022 and 22.07.2022. Even today, there is no representation for the appellant in both the appeals. This would indicate that the appellant in both the appeals is not evincing interest in prosecuting the appeals.

3. Hence, the appeals are dismissed for non-prosecution.

**Sd/-
HON'BLE CHAIRMAN**

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