

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

DATED THIS THE 06th DAY OF APRIL, 2023

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.06/2023

BETWEEN:

Prestige Estates Projects Ltd.,
A company incorporated under the
Company Act, 1956, having registered
The Falcon Housed, No.1,
Main Guard Cross Road,
Bangalore – 560 001.

Presently,
Office at No.19, 2nd Floor,
Prestige Falcon Tower,
Brunton Road, Criaig Park Layout,
Ashok Nagar,
Bangalore – 560 025.

: APPELLANT

(By Sri. Mohumed Sadiq B.A for K V Legal, Advocates)

AND

1. (a) Mr.G.S. Pradeep
Aged about 42 years
S/o Mr.Shivaprasad G.S.

(b) Usha S
Aged about 39 years
W/o Mr. G.S. Pradeep

Both R/at IC Universal Legal,
5th Floor, "Phoenix Pinnacle",
#46, 3rd Cross Road,
Yellappa Chetty Layout,
Bangalore – 560 042

2. Karnataka Real Estate Regulatory Authority Bangalore
Office at Second Floor, No.1/14,
Silver Jubilee Block, Unity Building,
CSI Compound, 3rd Cross, Mission Road,
Bengaluru-560 027
Represented by the Secretary

: RESPONDENTS

(Sri Suman K.S, Advocate for R-1 (a) and (b))
(Sri I.S. Devaiah, Advocate for R-2 RERA)

This Appeal is filed under Section 44 of the Real Estate (Regulation and Development) Act, 2016 before the Tribunal to set aside the order dated 17.10.2022 in CMP/200724/0007284 passed by the Authority, RERA Respondent No.2.

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

JUDGMENT

The appellant, who is a promoter of a real estate project known as "PRESTIGE TEMPLE BELLS" situated in Hoskerehalli village, Uttarahalli Hobli, Bangalore, has preferred this appeal challenging the impugned order dated 17th October, 20-22 passed in complaint No. CMP/200724/ 0007284 directing the promoter to allot car parking space to the complainants as agreed without demanding additional amount from them.

2. Today, a Joint Memo signed by the Authorised Signatory of the appellant, learned counsel for the appellant, Respondents 1(a) & (b) and learned counsel appearing for them is filed stating that the appellant and Respondents 1(a) & (b) have got their dispute pertaining to complaint No. CMP/200724/0007284 and this appeal settled out of court and pray the Tribunal to dispose of the appeal as settled out of court. The Joint Memo is taken on record.

3. Accordingly, for the reasons stated in the joint memo, we pass the following:

ORDER

- (i) Appeal is dismissed as settled out of court;
- (ii) In view of dismissal of the Appeal, all pending I.As. if any, stand rejected, as they do not survive for consideration;
- (iii) The Registry shall comply with the provisions of Section 44 (4) of the Act and return the records to RERA, if any.

**Sd/-
HON'BLE CHAIRMAN**

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

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