

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ, ಬೆಂಗಳೂರು

Karnataka Real Estate Regulatory Authority Bangalore

ನಂ:1/14, ನೆಲ ಮಹಡಿ, ಸಿಲ್ವರ್ ಜ್ಯೂಬಿಲಿ ಬ್ಲಾಕ್, ಯುನಿಟ ಬಿಲ್ಡಿಂಗ್, ಎಸ್.ಐ.ಕಾಂಪೌಂಡ್, 3ನೇ ಕ್ರಾಸ್, ಮಿಷನ್ ರಸ್ತೆ, ಬೆಂಗಳೂರು-560027

BEFORE ADJUDICATING OFFICER, RERA
BENGALURU, KARNATAKA

Presided by SRI K.PALAKSHAPPA

Adjudicating Officer

DATE: 30th MAY 2020

Complaint No.	CMP/191207/0004920
Complainant	Priya Sharma 141, 11 th Cross, 21 st main Road, HSR Layout, Sector 1 Bengaluru - 560102. In Person
Respondent	Blue Waters SJR Prime Crop Sarjapur Main Rd, Bellandur , Bengaluru-560102. Absent.

J U D G M E N T

1. The above complainant has filed his complaint under Section 31 of RERA Act against the project "BLUE WATERS" developed by SJR PRIME CORPORATION PVT. LTD., I would like to say that the complainant has sought for refund of her amount paid towards purchase of FLAT No.1001 from the developer.
2. In pursuance of the summons issued by this authority the complainant has appeared in person where as the developer remained absent.
3. I have heard the arguments of the complainant and posted the matter for judgment on merits.
4. The points that arise for my consideration are:

D. Devaraj
30/5/2020

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ, ಬೆಂಗಳೂರು

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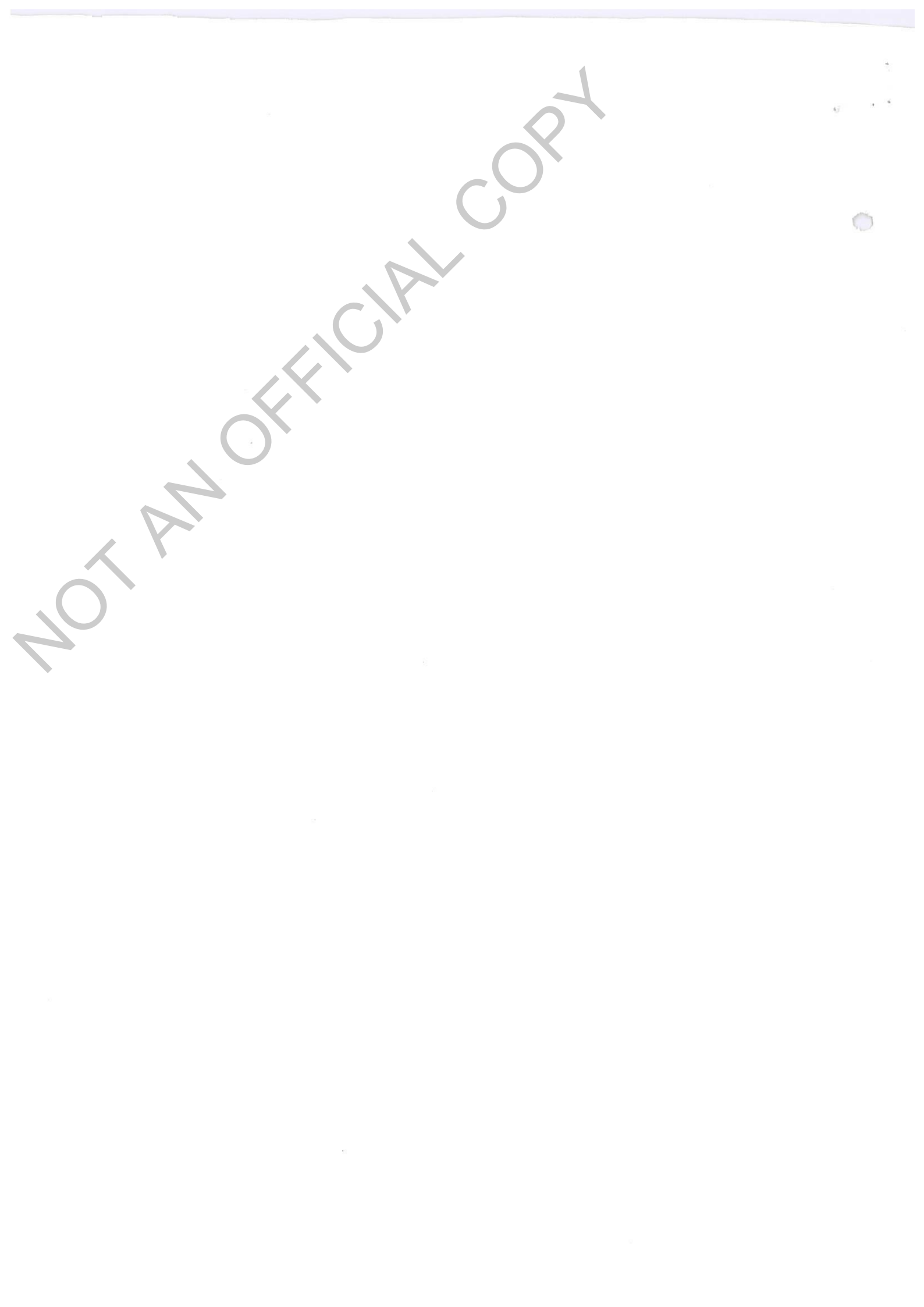
8. As per Section 71(2) of the Act the complaints shall be disposed of within 60 days from the date of filing. However the complaint was filed on 07/12/2019 and the complainant was present on 20/01/2020. The developer has not at all appeared. In the meanwhile on account of natural calamity COVID-19 the whole nation was put under lock down completely from 24/03/2020 till 17/05/2010 and as such this judgment could not be passed and as such it is with some delay. With this observation, I proceed to pass the following.

ORDER

- a. The complaints filed in CMP/191207/0004920 is hereby allowed.
- b. The developer is hereby directed to refund Rs. 12,02,743/-to the complainant.
- c. The developer is directed to pay simple interest @ 9% P.A. on the respective amount paid on the respective date till 30/04/2017 and @ 2% above the MCLR of SBI on the said sum commencing from 01/05/2017 till the realisation.
- d. The developer is directed to discharge the bank loan with interest, EMI if paid by the complainant on behalf of the developer, EMI if due and any other statutory charges.
- e. The developer is also directed to pay Rs. 5,000/-as cost to each case.
- f. The complainant shall execute the cancellation of agreement of sale after realisation of entire amount.
- b. Intimate the parties regarding the Order.

(Typed as per Dictated, Verified, Corrected and Pronounced on 30th May 2020).

(K.PĀLAKSHARPA
Adjudicating Officer



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