

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

Karnataka Real Estate Regulatory Authority,
1/14, 2nd Floor, Silver Jubilee Block, Unity Building Backside, CSI Compound,
3rd Cross, Mission Road, Bengaluru - 560027

PROCEEDINGS OF THE AUTHORITY

Dated 28th of October 2020

Complaint No.

1. **CMP/200224/0005523**

**MR. PARTHA CHOWHAN &
MRS. ARPITA CHOWHAN**

No. P-2, Block-1, BSR Splendour Park, 108/1,
Vijayabank Colony Extension, Horamavu,
Bangalore Urban - 560043.

2. **CMP/200301/0005610**

PRAVEEN GOPINATHAN

No. 17, Sri. Manjuantha Nagar,
10th Cross, 2nd Main,
Opp. Lakshmi Narasimaiah Temple,
Kalkere Road, Ramamurthy Nagar,
Bengaluru - 560016.

.....**Complainants**

VERSUS

1. **M/s KOLTE PATIL DEVELOPERS LIMITED**

No. 17, City point, 2nd Floor,
Dhole Patil Road,
Pune - 411001.

Branch Office at No. 22/11,
1st Floor, Park west Building,
Vittal Mallaya Road,
Bengaluru - 560001.

2. **DINESH D RANKA**

The Estate, 10th Floor, Dickeenson Road,
Yellappa Garden, FM Kariyappa Colony,
Bengaluru - 560042.

.....**Respondents**

W. K. Narasimha

[Signature]

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Karnataka Real Estate Regulatory Authority,

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These two complaints have been filed against the Respondent No. 1 who is stated to be the promoter and the Respondent No. 2 is stated to be the land owner. The complaint is with respect to the project Mirabilis.

The first complainant namely Mr. Partha Chowhan and Mrs. Arpitha Chowhan entered into a sale agreement on 18/08/2016 for the purchase of flat No. A-1101 in 'A' Block on the 11th Floor.

Similarly the second complainant namely Mr. Praveen Gopinathan, entered into a sale agreement on 10/04/2019 for the purchase of an apartment bearing No. C-206 situated on 2nd Floor in 'C' Block of the said project.

It is contended by both the complainants that the sale agreements executed was in the nature of a tri partite wherein the promoter, the land owner and the homebuyers were parties.

It is further contended by the complainants that the respondents are preventing them from inspecting the property before the sale deeds are executed and registered.

Mr. E. Suhail Ahmed and Jasleen Kaur, Advocates filed vakalat on behalf of the first complainant. It was submitted on behalf of the First complainant that an interim order may be passed by the Authority allowing inspection of the property by them before executing sale deeds. Accordingly by our interim order dated 08/07/2020, directions are issued to the respondents to facilitate the complainant to inspect the apartment bearing No. 1101 in 'A' Block.

On 23/09/2020, the first complainant's advocate and the second complainant appeared over skype and requested for passing of the direction to the respondents to execute a sale deed in their favour wherein both the promoter and the landowners are parties.

Considering the above aspects, following order is passed.







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Karnataka Real Estate Regulatory Authority,

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ORDER

Both the complaints are hereby allowed.

In exercise of the powers conferred under Section 37 of the Real Estate (Regulation and Development) Act, 2016, a direction is issued to both the respondents to execute and get registered a sale deed wherein apart from the complainants both the respondents are parties to the same.


(D. Vishnuvardhana Reddy)

Member - 1
KRERA


(Adoni Syed Saleem)

Member - 2
KRERA


(M.R. Kamble)

Chairman
KRERA

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