

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 BEFORE BENCH-4

Dated 3rd October 2022

Present

SHRI. H.C. KISHORE CHANDRA, CHAIRMAN

COMPLAINT No: CMP/UR /200907/0006517

COMPLAINANT....

B. Prasanna Venkataramana

Flat No: 401, 5th Floor

Mani Vihar, Ramavarappadu

Vijayawada-521108

**(represented by Sri. K. Santosh
Kumar, Advocate)**

V/S

RESPONDENT.....

1. M.S. Divya

Chairman

No: 305A, Anand Onxy

2nd Floor, 15th Cross

100 feet road

J.P. Nagar, 5th Phase

Bengaluru-560 078

2. M.S. Prasad

Managing Director

No: 305A, Anand Onxy

2nd Floor, 15th Cross

100 feet road

J.P. Nagar, 5th Phase

Bengaluru-560 078

Asst

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

3. **M.P. Devaraj**

Director

No: 305A, Anand Onxy

2nd Floor, 15th Cross

100 feet road

J.P. Nagar, 5th Phase

Bengaluru-560 078

(Exparte)

INTERIM ORDER

1. Mr. B. Prasanna Venkataramana had filed a complaint against the respondent promoter of "**Trinco Infra Private Limited**". The promoter has developed a project called "**Trinco Nandanavana**" in the limits of APGENCO Township, Nelatur, Nellur-524347. This complaint is registered in complaint No. **CMP/UR /200907/0006517**. This project is not a registered project.
2. The gist of the complaint is that the complainant herein booked a site no. 44 in the project "**Trinco Nandanavana**" by making payment of Rs.5,00,000/- towards booking advance of the site to the respondent/promoter. It is submitted by the complainant that before entering into an agreement towards the purchase of the flat, he sought certain clarification with regard to authenticity of the title of the project, however, the respondent did not provide any clarifications. It is further submitted that the builder has not got necessary approvals from the competent statutory authority towards this project.

Nab

Red

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

3. It is submitted that the complainant on 16.07.2019 has sought refund of the booking advance of Rs.5,00,000/- but the respondent deliberately avoiding refund since more than a year. The complainant contended that the builder even stopped payment of his cheque bearing No: 001112 dated 05.03.2020 for Rs.5,00,000/-. The complainant alleged that despite several requests and reminders, the respondent did not consider to refund the amount paid by him and has sought relief from RERA for refund with interest Hence this request.
4. After registration of the complaint, in pursuance of notice served, the respondents abstained from appearance before this Authority during the proceedings held on 29/07/2022, 29/08/2022, 19/09/2022 whereas the complainant was present on all these days.
5. This project has not been registered under RERA. At this stage, it is just a necessary to pass an interim order directing the promoter to get registered the project immediately. Action should be initiated against the promoter as required under Section 59 of the Act for violation of Section-4 of the Real Estate (Regulation and Development) Act, 2016. Hence, I am of the opinion that it is necessary to pass an interim order directing the respondent/promoter to register the project immediately under RERA.



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

INTERIM ORDER

The respondent/promoter, Trinco Infra Private Limited, No.305A, Anand Onxy, 2nd floor, 15th cross, 100 feet road, J.P. Nagar, 5th Phase, Bangalore-560 078 is hereby directed to register the project under RERA immediately under section 3 of the Real Estate (Regulation and Development) Act, 2016, within two weeks from the date of this order.

(H.C. Kishore Chandra)

Chairman

K-RERA