

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 /171031/0000175

COMPLAINANT....

SARITA KAMATH

Flat No; 82, Tower-A-5
Ashwatha Garden Enclave
CHS Limited
Opp. Godrej Hospital
Vikhroli East
Mumbai-400079.

**(represented by Mr. Ashok
Hegde, Authorized repre-
sentative)**

V/S

RESPONDENT.....

Prasanna Kumar Kalkura

Surekha Kalkura

Sagri Builders & Developers
Om Nivas, Sagri
Udupi Taluk
Udupi District

(represented by Advocate)

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INTERIM ORDER

1. Ms. Sarita Kamath had filed a complaint against the respondent promoter of "**Sagri Builders and Developers**". The promoter has developed a project in the limits of Sy.No. 76-3, Shivalli Village of Udupi Taluk within Kunjubettu Ward of Udupi City Municipality. This complaint is registered in complaint No. **CMP/UR /171031/0000175**. This project is not a registered project.
2. The gist of the complaint is that the complainant herein had purchased a flat admeasuring 1260 sq.ft. on the ground floor in the project named "Omkar Residential Apartments" situated in Sy.No: 76-3, Shivalli Village, Udupi vide an agreement for sale dated 12th March 2015.
3. It is submitted by the complainant that as per the said agreement, the developer had agreed to hand over the possession of the said flat latest by 4 months from the date of the agreement of sale i.e. by July 2015. It is contended by the complainant that the developer has failed to complete the construction and hand over the possession of the flat even after more than 2 years.
4. It is submitted by the complainant that the sale value as per the agreement was Rs.21.50 lakhs and out of this, the complainant has paid an amount of Rs.20.00 lakhs to the developer. It is alleged that the developer has not registered the project and RERA and is refusing to refund the money paid or complete the project.
5. It is submitted that the complainant has sought relief for refund of amount with interest.



 2

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6. After registration of the complaint, in pursuance of notice served, the respondent through his counsel has appeared before this Authority during the proceedings held on 20/06/2022, 28/06/2022. The respondent abstained from appearance during the proceedings held on 10/06/2022, 29/07/2022, 29/08/2022 12/09/2022 and on 30/09/2022 whereas the complainant authorized representative appeared before this Authority for two days on 29/07/2022, 29/08/2022.
7. 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.

INTERIM ORDER

The respondent/promoter, Sagri Builders & Developers, Om Nivas, Sagri, Udupi Taluk, Udupi District-576102 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


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The Canadian Red Cross Society has been successful in raising large sums of money for the relief of the distressed and suffering. It has also been successful in organizing and carrying out a wide variety of relief work, and has played a prominent part in the relief of the victims of the great war.

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H. G. K. (Chairman)
Chairman
R-288A

