

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 6<sup>th</sup> October 2022**

**Present**

**SHRI. H.C. KISHORE CHANDRA, CHAIRMAN**

**COMPLAINT No: CMP/UR /180926/1322**

**COMPLAINANT....**

**Sunil Kumar Ambastha**  
#170/A, Preeti Nakshtra  
5<sup>th</sup> Cross, Manjunathanagar  
Bengaluru-560 10.

**(represented by Mr. Stanley  
Sam... Advocate)**

**V/S**

**RESPONDENT.....**

**T.K. Raghavendra**  
**Managing Director**  
RKR Developers Private Limited  
Manipal Center  
M.G. Road  
Bengaluru-560 001.

**(exparte)**

**INTERIM ORDER**

1. Mr. Sunil Kumar Ambastha had filed a complaint against the respondent/  
promoter of **“RKR Developers Private Limited”**. The promoter has

*Asst*

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developed a project known as “ **RKR Vina Aka Enclave**”in the limits of Sy.No. 99/2 and 98/4 situated at Shivanapura Village, Dasanapura Hobli, Bangalore North Taluk presently comes under the limits of Shivanapura Grama Panchayath. This complaint is registered in complaint No. **CMP/UR/180926/0001322**. This project is not a registered project.

2. The gist of the complaint is that the complainant herein entered into agreement for sale for flat no. 84 for a sale consideration of Rs.8,94,000/- on 18.01.2017. It is submitted that, out of total sale consideration, the complainant has paid an amount of Rs.50,000 to the respondent on 29.09.2016 and Rs.50,000 through 2 cheques respectively and he owes balance amount of R.7,94,000/- to the respondent which was agreed to be paid through EMI of Rs.5,000/- per month for 48 months(February 2017 to January 2021).
3. It is submitted by the complainant that when he visited the respondent's office where it was told that his money would be returned back but except assurance, he did not get anything and kept waiting for months.
4. It is submitted by the complainant that on 03.09.2018, he has issued legal notice to the respondent to refund of payment made in lieu of the purchased flat bearing No.84, but no reply was received by the complainant from the respondent.
5. 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



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or complete the project. The complainant has sought relief for refund of amount with interest.

6. After registration of the complaint, in pursuance of notice served, respondent had abstained from appearance before the Authority during the proceedings held on 10/06/2022, 29/07/2022, 19/08/2022, 30/08/2022, 13/09/2022 and on 30/09/2022 whereas the counsel for the complainant appeared before this Authority on 13/09/2022(through skype) and he was exempted from appearance on 30/09/2022
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, RKR Developers Private Limited, Manipal Center, M.G. Road, Bengaluru-560 001 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

MEMORANDUM FOR THE RECORD


DATE: 10/15/54  
SUBJECT: [Illegible]

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