

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 17th October 2022

Present

SHRI. H.C. KISHORE CHANDRA, CHAIRMAN

COMPLAINANT....

1. CMP/UR/210918/0008350

Feroz Aleem

Ex 5/2, Vatika Green Valley
Jawaharnagar, Mango,
Jamshedpur
Jharkhand-831012

2. CMP/UR/21908/0008313

Vani B. Govardhan

C.P. Cassia Apartment

#102, 1st Floor, Rachenahalli

Main Road

Thanisandra

Bengaluru-560 045.

V/S

RESPONDENT.....

M/s Anish Projects Developers

(I) Private Limited

No.5, Ground Floor, 13th "A"

Cross, 9th Main, 6th Sector

HSR Layout,

Bengaluru-560102

(exparte)

Asst

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INTERIM ORDER

1. Mr. Feroz Aleem and Mr/Ms.Vani B Govardhan have filed a complaint under section 31 of the RERA against Mr. Ramesh Reddy Eragam, the respondent/ promoter of “**M/s Anish Projects Developers(I) Private Limited**”. The promoter has developed a project known as “**Anish Green County**” in the limits of Sy.Nos: 76/1, 78/2, 78/3, Anish Projects Green County, Marasandra, Dommalur Village, Lakkur Hobli, Malur Taluk, Kolar District. This complaints are registered in complaint Nos. CMP-8350 and 8313.
2. This project has not been registered under RERA.
3. The gist of the complaint is as under:
4. **CMP/UR/210918/0008350**: The complainant Mr. Feroz Alam had booked a flat No: 37 in the project “Anish Green County”. This project was initiated in 2015 as a plotted development by the developer “Anish Projects Developers(I) Private Limited” having their registered office at No: 5, Ground Floor, 13th “A” Cross, 9th Main, 6th Sector, HSR Layout, Bangalore-560 102. Since last six years, the developer has failed to provide basic civic amenities and sewage system. There is provision created for STP though it is marked in the layout plan. It is contended that the overhead water tank constructed by the builder is in dilapidated state and does not have a connection to individual flats. The common areas such as parks, club house, pool, children’s play area and temple remain only in paper and the builder has also failed to compound the layout and internal roads and street lighting. The complainant sought relief from RERA to get the builder to provide the

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basic civic amenities of the layout as was promised and compensation for the delay. Hence, this complaint.

In support of his claim, the complainant has produced document such as Absolute Sale Deed dated 01.07/2017.

5. CMP/UR/210908/0008313: The complainant Vani B Govardhan had booked a Plot No. 132 measuring 1200 sq.ft. in the said project carved out of Sy.No: 76/1 bearing Khatha No. 200/132 and property no. 1519 bounded by plot no. 133 in the north, 131 in the south and plot no. 136 in the west. The project was initiated in the year 2015 as a plotted development by the developer "Anish Projects Developers (I) Private Limited, having their office at No:5, Ground Floor, 13th "A" Cross, 9th Main, 6th Sector, HSR Layout, Bangalore-560 102. Since last 5 years, the developer has failed to provide basic civic amenities as per the terms of agreement of sale deed. The complainant has sought relief from RERA to get the builder to provide the basic civic amenities of the layout as was promised and to pay compensation for the delay. Hence, this complaint.

In support of his/her claim, the complainant has produced sale deed dated 22nd March 2016.

6. After registration of the complaint, in pursuance of notice served, respondent had abstained from appearance before the Authority during the proceedings held on 08/08/2022, 23/09/2022 and on 14/10/2022, whereas the counsel for the complainants did appear before this Authority on 08.08.2022 and was granted exemption on 23/09/2022 and on 14.10.2022.



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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-3 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, **M/s Anish Project Developers (I) Private Limited**, No.5, Ground Floor, 13th "A" Cross, 9th Main, 6th Sector, HSR Layout, Bengaluru-560 103 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