

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

**Present**

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

**COMPLAINANT....**

**1. CMP/UR/200331/0005817**

**R. Lakshmi**

No. 34, 3<sup>rd</sup> Floor, Vidyapeeta  
Thyagarajanagar,  
Near Essar Petrol Bunk  
Bengaluru-560 028.

**2. CMP/UR/200522/0005293**

**S.Harish**

No. 774/1, 1<sup>st</sup> Main, 8<sup>th</sup> Cross,  
Girinagar 2<sup>nd</sup> Phase  
BSK 3<sup>rd</sup> Stage  
Bengaluru-560 085.

**V/S**

**RESPONDENT.....**

**M/s Aryan Hometec Private  
Limited**

No. 95, Main Building, 1<sup>st</sup> Floor  
3<sup>rd</sup> Main, 4<sup>th</sup> Phase, J.P.Nagar  
Dollars Colony  
Bengaluru-560178.

**(exparte)**

ಕರ್ನಾಟಕ ರಿಯಲ್‌ಎಸ್ಟೇಟ್ 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**

1. Mrs. Lakshmi R and Mr. Harish S have filed a complaint under section 31 of the RERA against Mr. S.G. Bharath Reddy, the respondent/ promoter of “**M/s Aryan Hometec Private Limited**”. The promoter has developed a project known as “**Aryan Golden Arena-J**” in the limits of Bidaraguppe Village, Attibele Hobli, Anekal Taluk. These complaints are registered in complaint Nos. **CMP-5817and 5293**
2. This project has not been registered under RERA.
3. The gist of the complaint is as under:
4. **CMP/UR/200331/0005817**: The complainant Mrs. Lakshmi R had booked a flat No: J-108 in the project “**Aryan Golden Arena-J**” Sarjapur, Attibele Road, on 19/01/2018. This property was booked through a property consultancy named Square Yards, Bengaluru. The complainant was offered a scheme of no pre-EMI till possession, i.e. the EMI for the above mentioned project will be starting after the possession of the flat. The respondent has assured the complainant that the said flat would be completed by the end of March 2020 and the possession will be given thereafter. However, the possession of the unit was still under construction. The complainant has paid an advance of Rs.20,62,368 at the time of booking, Rs.1,71,864 EMI paid from November 2018 and till date so far deducted Rs.2,70,266/-. The complainant contend that the flat is yet to start for many blocks. She further states that due to burden of EMI she is facing financial crunch and hence she sought relief from RERA for repayment of total amount paid along with compensation. Hence, this complaint.

138

ಕರ್ನಾಟಕ ರಿಯಲ್‌ಎಸ್ಟೇಟ್ 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

In support of her claim, the complainant has not produced any documents.

5. **CMP/UR/200522/0005923**: The complainant S. Harish had booked a flat No. J-507 in the project "Golden Arena" situated at Sarjapur-Attibele Road, Bidaraguppa, Bengaluru-562107. 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, 13<sup>th</sup> "A" Cross, 9<sup>th</sup> Main, 6<sup>th</sup> Sector, HSR Layout, Bangalore-560 102. The developer has failed to construct the property. He has paid an amount of Rs.14,30,700 through Reliance Co to the respondent. The complainant contend that pre-EMI has also started deducting from his account since November 2019. As per agreement, the respondent was obligated to hand over the possession by February 2020 inclusive of grace period. When he visited the project site, he noticed that basement and other blocks though completed have not been allotted to the prospective buyers. The complainant sought relief from RERA for refund of the invested amount an appropriate action against the builder. Hence, this complaint.

In support of his claim, the complainant has produced documents such as (a) copy of sale agreement (b) copy of construction agreement (c) Tripartite agreement (d) Allotment letter (e) NOC from builder (f) Demand Letter (g) Assure rental agreement (h) Reliance loan sanction letter (i) Down payment of Rs.172,200 through cheque and receipt (j) Judgement copy of CMP/191219/00005021 (k) email communication to Aryan Hometec Pvt. Ltd. (l) refund calculation copy

6. After registration of the complaint, in pursuance of notice served, respondent had abstained from appearance before the Authority during the





ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

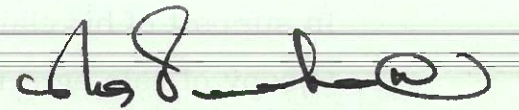
Karnataka Real Estate Regulatory Authority,  
# 1/14, 2nd Floor, Silver Jubilee Block, Unity Building Backside, CSI Compound,  
3rd Cross, Mission Road, Bengaluru-560027

proceedings held on 27/06/2022, 11/07/2022, 01/08/2022, 12/08/2022,  
02/09/2022, 23/09/2022 and on 14/10/2022

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-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 Aryan Hometec Private Limited, No: 95, Main Building, First Floor, 3<sup>rd</sup> Main, 4<sup>th</sup> Phase, JP Nagar, Dollars Colony, Bengalure-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