

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

Dated 31st October 2022

COMPLAINANTS....

1. CMP/UR/210415/0007896

Ega Sowmya

G003, VSS Paradise

1st Cross, 1st Main

Airview Colony

Konena Agrahara

H.A.L., **Bengaluru-560017.**

2. CMP/UR/210415/0007766

Sumeet Agarwal

Bindu Agarwal

No: 166, Adarsh Vista

Vignananagar Main Road

Bengaluru-560 037

3. CMP/UR/210303/0007739

Sheker Sundhara Rajan

7B, Kalinga Colony

KK Nagar, PT Rajan Salai

Tamil Nadu-600078

4. CMP/UR/210709/0008110

R.S. Ramakrishna

No: 260, Phase-1, Adarsh

Meadows, Airport-

Whitefield Road

Ramagondanahalli Post

Bengaluru-560 066

5. CMP/UR/210415/0007759

Shishir Kumar

Anjali Thakur

A-102, Skylark Esta

Bengaluru-560 048

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

(IN PERSON)

V/S

RESPONDENT.....

**M/s Jains & Alliance Palms
Venture Private Limited**

Having its registered office

At No: 85, Karthik Nagar

Marathlahalli-KR Puram Road

Bengaluru-560 037.

**(represented by Mr. Girish Jain,
Authorized representative)**

INTERIM ORDER

1. The complainants have filed a complaint under section 31 of Real Estate(Regulation and Development) Act, 2016 against Mr. Sandeep Mehta, the respondent promoter of "**Jains & Alliance Palm Venture Private Limited**". The promoter has developed a project known as "**Jains Villa Vivianaa**" in the limits of Surjakkanahalli, Anekal Taluk, Jigani-Anekal Road, Bengaluru-562106.
2. This project is not registered under RERA.
3. The gist of the complaint is that the complainant herein had booked a flat/plots in the project "Jains Villa Vivianaa" developed by the respondent/promoter. The respondent/promoter failed to hand over the

1/9/20

1/9/20

2
1/9/20

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

possession of the flats to the complainants within the stipulated timeline as per the terms of agreement. The complainants have paid substantial sale consideration to the respondent towards purchase of these flats. The project is still incomplete and is an ongoing project. The complainants sought relief from RERA for a direction to the builder to complete and hand over possession of their flats, interest on delay period and to provide basic amenities. Hence, this complaint.

4. After registration of the complaint, in pursuance of notice served, the respondent has appeared before this Authority and filed written objections.
5. In support of their claim, the complainants have produced documents such as (1) Absolute Sale deed (2) Agreement of sale and construction (3) Details of payment made to the respondent.
6. In support of defence, the respondent has produced documents such as (1) Commence Certificate dated 18.02.2010 (2) Photographs of the project
7. This project has not been registered under RERA. At this stage, it is just and necessary to pass an interim order directing the promoter to get the project registered immediately. Further proceedings are required to be initiated against the promoter under Section 59 of the Act for violation of Section-3 of the Real Estate (Regulation and Development) Act, 2016. Hence, we are of the opinion that it is necessary to pass an interim order directing the respondent/promoter to register the project immediately under RERA.





3



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


8. On consideration of the submissions of the complainants, the following order is passed.

INTERIM ORDER

The Respondent/Promoter **M/s Jains & Alliance Palms Venture Private Limited, No: 85, Karthik Nagar, Marathahalli-KR Puram Road, Bengaluru-560 037** 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 receipt of this order.

The Promoter is also given opportunity to submit his explanation within three weeks, as to why penalty proceedings u/s 59(1) of the Act should not be initiated for violation of Section 3 of the Act.


(D. Vishnuvardhana Reddy)
Member-1
K-RERA


(Neelmani N Raju)
Member-2
K-RERA


(H.C. Kishore Chandra)
Chairman
K-RERA