

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

Complaint No. CMP/UR/201109/0006939

Dated 4th November 2022

Present

Shri. H.C. Kishore Chandra, Chairman

COMPLAINANT....

Munireddy Y.

#33, 23rd Main, 3rd "C" cross
2nd Stage, BTM Layout
Bengaluru-560 023

(IN PERSON)

V/S

RESPONDENT.....

Dr.S. Ravi and

Dr. V. Nandagopal

M/s Transcity Developers

32, 2nd Floor, 13th Cross

Bashyam Circle(above hotel
Shanthi Sagar)

Sadashivanagar

Bengaluru-560 080.

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INTERIM ORDER

1. The complainant has filed a complaint under section 31 of Real Estate(Regulation and Development) Act, 2016 against the project “ **Trans Spoorthi**” developed by the promoters in the limits of Kalluru Naganahalli, Kaval Village, Ilvala Hobli, Mysore Taluk, Mysore District for relief of refund with interest.
2. This project is not registered under RERA.
3. The gist of the complaint is that the complainant herein had booked a plot No. 396 in the project “**Trans Spoorthi**” developed by the respondent/promoter. The respondent/promoter failed to hand over the possession of the plot to the complainant within the stipulated timeline as per the terms of agreement. The complainant has paid substantial sale consideration to the respondent towards purchase of this plot. The complainant sought relief for a direction to the builder to refund his entire amount with interest. Hence, this complaint.
4. After registration of the complaint, in pursuance of notice served, the respondent remained absent from appearance before the Authority during the proceedings held on 19/08/2022, 30/08/2022, 13/09/2022, 30/09/2022 and on 28/10/2022 whereas complainant did attend the proceedings only on 28/10/2022.

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5. In support of his claim, the complainant has produced documents such as (1) agreement of sale (2) Trans City receipts (3) Absolute sale deed between land owners and trans city developers (4) Layout plan (5) Trans City brochure.
6. In support of his defence, the respondent has not produced any documents.
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.
8. On consideration of the submissions of the complainants, the following order is passed.

INTERIM ORDER

The Respondent/Promoter **M/s Transcity Developers, # 32, 2nd floor, 13th cross, Bhashyam Circle (above hotel Shanthi Sagar), Sadashivanagar, Bengaluru-560 080** 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.

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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.



(H.C. Kishore Chandra)

Chairman

K-RERA