

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 4th November 2022

Present

Shri. H.C. Kishore Chandra, Chairman

COMPLAINANTS....

1. **CMP/UR/190521/0003101**

Nagaraj K.B.

No.21, 3rd "A" Main

13th Cross, Magadi Road

Cholurpalya

Bengaluru-560 023.

2. **CMP/UR/190520/0003081**

Anket Kumar

28, Laasya Lake view layout

Basapura Village Road

Basapura, Bengalure-560100

3. **CMP/UR/190525/0003151**

Suresh P

#289, Janatha Colony

Old Post Office Road

Mysore Road

Kumbalagodu Post

Bengaluru-560 074.

(IN PERSON)

V/S

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

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RESPONDENT.....

**M/s Roopa Infra Projects
(India) Private Limited**

1129, 30th Main,
Poornapragna Nagar
Subramanyapura Post
Bengaluru-560 061

INTERIM ORDER

1. The complainants have filed a complaint under section 31 of Real Estate(Regulation and Development) Act, 2016 against the project "Green Mile" developed by "**Roopa Infra Projects (India) Private Limited**". The promoter has developed a project known as "**Jains Villa Vivianaa**" in the limits of Bethinagere Village, near Bidadi 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 flat/plots in the project "Green Mile" developed by the respondent/promoter. The respondent/promoter failed to hand over the 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 for a direction to the builder to refund their entire amount with interest. Hence, this complaint.

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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 05/08/2021, 30/08/2021 and on 28/10/2022.
5. In support of their claim, both the complainants & the respondents have not produced any documents.
6. 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

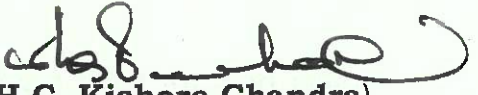
The Respondent/Promoter **M/s Roopa Infra Projects(India) Private Limited, # 1129, 30th Main, Poornapragna Nagara, Subramanyapura Post, Bengaluru-560 061** is hereby directed to register the project under RERA immediately under section 3 of the Real Estate (Regulation and Development) Act, 2016, within 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