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/220518/0009485

Dated 10th November 2022

Present

Shri. H.C. Kishore Chandra, Chairman

COMPLAINANT....

Kamalamma.
15, Rishi Mandir
17-A Cross, Bhuvaneshwari Nagar, Hebbal Kempapura
Bengaluru-560 024.

(Represented by Mr. S.B. Patil, Advocate)

V/S

RESPONDENT.....

BSNL Employee's House Building Co-operative Socieity
No: 19(New No. 32), First Floor, 10th Cross
Sampige Road
Mlleshwaram
Bengaluru-560 003.

(Exparte)

INTERIM ORDER

1. The complainant has filed a complaint under section 31 of Real Estate (Regulation and Development) Act, 2016 against the project " **BSNL Aero Park Township**" developed by the promoter in the limits of Chapparkal

Main Road, near International Airport, 6 km from ITC factory(NH-7) and near to IVC Road, Bengaluru for the 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 in the project **"BSNL Aero Park Township"** developed by the respondent/promoter. The respondent/promoter failed to hand over the possession of the said plot to the complainant within the stipulated timeline. The complainant has paid an amount of Rs.4,17,100/- to the respondent towards purchase of this plot which was acknowledged by respondent. The respondent has refunded the entire amount to the complainant on 6.10.2022 under dated acknowldgement.

4. After registration of the complaint, in pursuance of notice served, the respondent absented from appearance before the Authority during the proceedings held on 15/09/2022, 30/09/2022, 21/10/2022 and on 07/11/2022. Whereas the complaint did present on the aforesaid dates of hearing.

5. In support of his claim, the complainant has produced documents such as details of payment made to the complainant.

6. On going through the records, it is noticed that this project has not been registered in RERA.

7. On going through the available records, it is noticed that this project has not been registered in 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 complainant, the following order is passed.

INTERIM ORDER

The Respondent/Promoter **BSNL Employees Welfare House Building Co-operative Society Limited, No.19(New no. 22), First Floor, 10th Cross, Sampige Road, Malleshwarm, Bengaluru-560 003** 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.

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