

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 22nd November 2022

Present

SHRI. H.C. KISHORE CHANDRA, CHAIRMAN

COMPLAINT No: CMP/UR /200620/0006058

COMPLAINANT....

Vinay Lokare
#817, 17th F1 Main
6th block, Koramangala
Bengaluru-560 095.

(In person)

V/S.

Respondents...

1. Jayachandra Reddy
Akshaya Builders
28, BEML Road
HAL 3rd Stage
Bengaluru-560 075

2. Arya Lohith Reddy
Akshaya Builders
28, BEML Road
HAL 3rd Stage
Bengaluru-560 075

**(Represented by A.V.
Raghavendra & Associate
Advocates)**



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INTERIM ORDER

1. The complainant Mr. Vinay Lokare has filed a complaint under section 31 of Real Estate (Regulation and Development) Act, 2016 against the project “**Uniteds Crossandra**” developed by “**Akshaya Builders**” in the limits of Sy.Nos. 74/3 BBMP Khatha No. 26, Horamavu Agara Village, K.R. Puram Hobli, Bengaluru East Taluk for the relief of completion of the project and possession of the flat.
2. This project is not registered in RERA.
3. The gist of the complaint is that the complainant has entered in to agreement of sale for the purchase of residential flat bearing No.109 in First Floor in Block-“A” in the project “**United’s Crossandra**” with the respondent. As per the agreement of sale, the respondent is required to hand over the possession by March 2016. However, the builder did not complete the project as per agreement of sale and not issued the OC/CC certificate for the flat. The complainant has sought relief for a direction to the respondent to complete the project and handover the possession with all amenities to the association to enable it to be formed. Hence, this complaint.
4. After registration of the complaint, in pursuance of notice served, the respondent has appeared before this Authority through his counsel but has not contested the matter by filing objections and producing documents on its behalf.



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5. This matter was heard on 29/07/2022, 30/09/2022, 28/10/2022 and on 18/11/2022.
6. In support of her claim, the complainant has produced documents such as Agreement of sale agreement dated 03/02/2016 and sale deed dated 28.03.2016.
7. On going through the 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.
9. On consideration of the submissions of the complainant, the following order is passed.

INTERIM ORDER

The Respondent/Promoter **M/s Akshaya Builders, 28, BEML Road, HAL 3rd Stage, Bengaluru-560 075** 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