

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 29th November 2022

COMPLAINT No: CMP/UR /211104/0008515

COMPLAINANT....

Sunil Kumar Verma
No: 206, Vandana Revivals
Spring Woods, Sompura
Gate, Sarjapura Road
Bengaluru-562125.

(In person)

V/S

RESPONDENT.....

Sudhakar Naidu
M/s Vandana Infra Realty
Sy.no.35, 5th "A" Cross
80 Feet Road, 1st Block
Koramangala
Jakkasandra Extension
Bengaluru-560 034.

INTERIM ORDER

1. The complainant Mr. Sunil Kumar Verma had filed a complaint under section 31 of Real Estate (Regulation and Development) Act, 2016 against the project "**Vandana Revivals Spring Woods Apartments**" developed by the promoter in the limits of Sy.no. 520/2, Sompura Gate, Sarjapur Main Road, Bengaluru for the relief of refund with interest.





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2. This project is not registered in RERA.
3. The gist of the complaint is that the complainant has entered into an agreement of sale and construction both dated 7th June 2017 for the purchase of flat bearing No.206 in the project "Vandana Revival's Spring Woods" with the respondent. Subsequently, Sale deed has also been executed by the respondent in favour of the complainant on 17/06/2017. The said flat is not yet handed over as per the construction agreement even after more than 4 years. It is contended that there are still pending works such as lift is not available as the resident families have senior citizens, kids, promised luxury amenities but not even provided basic amenities, no proper lighting in the common area, leakage of drainage pipes in stilt parking, overflowed sewage, left unattended to by the respondent. The complainant sought relief of refund with interest. Hence, this complaint.
4. After registration of the complaint, in pursuance of notice served, the respondent has absented himself from appearance before this Authority and has not contested the matter by filing objections and producing documents on its behalf during the proceedings held on 12/08/2022 and on 29/08/2022.
5. In support of his claim, the complainant has produced documents such as (1) Agreement of sale and construction both dated 7th June 2017 (2) Sale Deed dated 17/06/2017 (3) Memo of calculation.
6. 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





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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.

7. On consideration of the submissions of the complainant, the following order is passed.

INTERIM ORDER

The Respondent/Promoter **M/s Vandana Infra Reality, Sy.No.520/2, Sarjapura Road, Anekal Taluk, Bengaluru-560 012** 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.


(**Neelmani N. Raju**)
Member-2
K-RERA


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

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