

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 /201008/0003598

COMPLAINANT....

Madhusudan Reddy
#H.No.641/B, 5th Cross
HAL 2nd Stage
Kodihalli
Bengaluru-560 008

(In person)

V/S

RESPONDENTS.....

1. P. Gangamma

Handarahalli-Hitharahalli
Gate. Handarahalli Village
Channarayapatna Hobli
Channarayapatna Hobli
Devanahalli Taluk
Bengaluru Rural
Bengaluru-562129.

2. Venugopal T.

Handarahalli-Hitharahalli
Gate. Handarahalli Village
Channarayapatna Hobli
Channarayapatna Hobli
Devanahalli Taluk
Bengaluru Rural
Bengaluru-562129

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3. Manohar H.T.

Handarahalli-Hitharahalli
Gate. Handrahalli Village
Channarayapatna Hobli
Channarayapatna Hobli
Devanahalli Taluk
Bengaluru Rural
Bengaluru-562129.

4. Asha T

Handarahalli-Hitharahalli
Gate. Handrahalli Village
Channarayapatna Hobli
Channarayapatna Hobli
Devanahalli Taluk
Bengaluru Rural
Bengaluru-562129.

5. G.A. Veeranna

Gopalapura Village
Jala Hobli, Bagalur Post
Bengaluru North Taluk
Bengaluru-562149.

6. C. Nirmal Kumar

No: 202, "D" Block
Unix Signature Apartments
Shabarinagar,
Byatarayanapua
Bengaluru-560 092.

7. K. Shivamumar

Flat No.6, Scion Vista
Apartments
5th Cross, 6th Main
G.M. Palya near BEML
Hospital, new Thippsandra
Post, **Bengaluru Rural.**

ASB

MLK,

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INTERIM ORDER

1. The complainant Mr. Madhusudan Reddy has filed a complaint under section 31 of Real Estate (Regulation and Development) Act, 2016 against the project “**Nithya Ayush Layout**” developed by the promoter in the limits of Sy.Nos. 203/1 and 203/2, Akhilandeshwari Temple Road, Handrahalli Village, Channarayapatna Hobli, Devenahalli Taluk, Bengaluru Rural for the relief of registration of the unregistered layout project and investigation into all the irregularities.
2. This project is not registered in RERA.
3. The gist of the complaint is that the respondents have jointly formed a residential layout known as “Nithya Ayush Layout” on 2 acres of agricultural lands bearing Sy.nos. 203/1 and 203/2 situated at Handrahalli Village, Channarayapatna Hobli, Devenahalli Taluk, Bengaluru Rural. It is contended that the said project is unregistered before RERA and has not approved by BIAAPA planning authority in whose limits these lands are situated. The respondent has been marketing the illegal sites formed in the above project on various platforms including internet. Further, the respondents jointly have taken out advertisements on different platforms including online platform. It is contended that the respondents have claimed that the above said project is being approved by the Panchayat and also ready for registration. It is further contended that the said project is totally illegal in violation of existing laws including RERA Act. The respondents alleged to have already sold few sites to intending purchasers





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and they have already built houses on those sites. The complainant sought relief for a direction to the respondent to mandatorily register the project, investigation into all the irregularities etc. Hence, this complaint.

4. After registration of the complaint, in pursuance of notice served, the respondents have absented themselves from appearance before this Authority and have not contested the matter by filing objections and producing documents on its behalf during the proceedings held on 05/08/2022 and on 30/08/2022.
5. In support of his claim, the complainant has produced documents such as Agreement of sale.
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 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.

ASB

MKS

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INTERIM ORDER

The Respondent/Promoter **Nithya Ayush Layout, Akhilandeshwari Temple Road, Handrahalli Village, Channarayapatna Hobli, Devanahalli Taluk, Bengaluru Rural** 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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