

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

CORUM

SHRI. H.C. KISHORE CHANDRA, CHAIRMAN

Dated 3rd December 2022

COMPLAINT No: CMP/UR /211116/0008573

COMPLAINANT....

Santosh Patil
3-7-52, Kajagarwadi
Near Amruteshwar
Temple, Kajagarwadi
Yadgir-585201.

(In person)

V/S

RESPONDENT.....

Dhasaratha Raju K.
BSNL Central & State
Government IT/BT
Employees(Working &
Retired) House Building
Co-operative Society
Limited
No.115, 2nd Floor
Crezent Plaza, Opp:
Pushpanjali Theatre
Dinnur Main Road,
R.T. Nagar, Bengaluru-32

(Exparte)



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INTERIM ORDER

1. The complainant Mr. Santosh Patil has filed a complaint under section 31 of Real Estate (Regulation and Development) Act, 2016 against the project “ **BSNL Srigandha Phase III** ” developed by “ BSNL Central & State Government IT/BT Employees(Working & Retired) House Building Co-operative Society Limited in the limits of IVC Road which is just 4.5 Kms from NH-7 for the relief of refund with interest.
2. This project is not registered in RERA.
3. The gist of the complaint is that the complainant is the Member of BSNL, Central and State Government IT/BT Employees(Working & Retired) House Building Co-operative Society Limited bearing membership no.A-762. He has booked a plot measuring 30 x 40. He has paid an amount of Rs.2,42,300/- vide receipt no. 3774 dated 12.8.2014 being the 1st instalment towards the cost of the plot. Subsequently, he has paid an amount of Rs.1,20,000/- vide receipt no.5274 dated 13/01/2015 being the 2nd instalment installment and Rs.1,20,000/- vide receipt no.9353 dated 12/02/2017 being the 3rd instalment. The complainant contended that since last 3 years, there has been no progress in the development of plots. Since there is no sign of development of plots even after 3 years, the complainant has lost confidence and decided to exit from the project. The complainant has sought relief of full refund along with interest. Hence, this complaint.



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4. After registration of the complaint, in pursuance of notice served, the respondent absented himself from appearance before the Authority during the proceedings held on 15/09/2022, 30/09/2022, 9/11/2022 and on 28/11/2022.
5. In support of his claim, the complainant has produced documents such as (1) Receipts of payment made to the respondent (2) Paper advertisement of BSNL Srigantha Phase-III project (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 Section 59 of the Act for violation of Section-3 of the Real Estate (Regulation and Development) Act, 2016. Hence, I am 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 **BSNL, Central & State Government IT/BT Employees(Working & Retired) House Building Co-operative Society Limited, No. 115, 2nd Floor, Crezent Plaza, Opp: Pushpanjali Theatre, Dinnur Main Road, R.T. Nagar, Bengaluru-560 032** is hereby directed to



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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

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