

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

PRESENT

SHRI. H.C. KISHORE CHANDRA, CHAIRMAN

Dated 15TH December 2022

COMPLAINT No: CMP/UR /210831/0008285

COMPLAINANT....

Mohan Sundar
Sterling Brookside, E-420
Kundalahalli Colony
Bengaluru-560 037

(In person)

V/S

RESPONDENT.....

Bakthavatchalam
President
Karnataka Telecom
Department Employees
Co-operative Society
Limited
No: 706, 1st Floor
CBI Road, H.M.T. Layout
R.T. Nagar Post
Bengaluru-560 032.

(Absent)

Handwritten signature/initials

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INTERIM ORDER

1. The complainant Mr. Mohan Sundar has filed a complaint under section 31 of Real Estate (Regulation and Development) Act, 2016 against the project “ **Karnataka Telecom Department Layout-1** ” developed by “ **Karnataka Telecom Department Employees Cooperative Society Limited**” in the limits of Bidaraguppe Village, Attibele Hobli, Anekal Taluk, Bengaluru District for the relief of possession and interest on delay period.
2. This project is not registered in RERA.
3. The gist of the complaint is that the complainant is the member of the Karnataka Telecom Department Employees Co-operative Society Limited bearing Membership No.A-10483. He has paid an amount of Rs.4,80,000 out of sale consideration of Rs.6,00,000/- towards the purchase of plot measuring 30 x 40 in the said project to the respondent. It is contended that the respondent has not handed over the possession as was promised. Having lost confidence with the developer, the complainant has sought relief of possession along with interest on delay period. Hence, this complaint.
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 27/09/2022, 20/10/2022, and on 8/11/2022, 12/12/2022 whereas the complainant remained present.
5. In support of his claim, the complainant has produced documents such as Details of payment made to the respondent.



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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 **Karnataka Telecom Department Employees Co-operative Society Limited, No. 706, 1st Floor, C.B.I. Road, H.M.T. Layout, R.T. Nagar Post, Bengaluru-560 032** 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

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