

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 27<sup>th</sup> January 2023**

**COMPLAINANTS....**

1. **CMP/181003/0001354**  
**Aditya Prakash Patil**  
Kamal Niwas  
Saptapur 8<sup>th</sup> Cross  
**Dharwad-580 001.**
2. **CMP/181002/0001345**  
**V.J. Prasad**  
Sri Shankar Building  
5<sup>th</sup> Main, 3<sup>rd</sup> Cross  
Gandhinagar  
**Dharwad-580 004.**

**(In person)**

**V/S**

**RESPONDENTS.....**

1. **KENCHANAGOUDA PATIL**
2. **SHASHIDHAR S KADLUR**  
SAPTAPUR 2<sup>ND</sup> Cross  
Opp: LIC MUKTHAMATH  
HOUSE  
DHARWAD-580 001

**(By Sri. Kumar A. Patil,  
Advocate for R2)**

**INTERIM ORDER**

1. The aforesaid complainants have filed these complaints under section 31 of Real Estate (Regulation and Development) Act, 2016 against the project

*Patil*

*Patil*

*Patil* 1

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

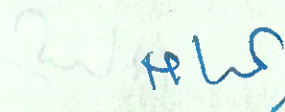
Karnataka Real Estate Regulatory Authority,

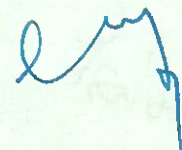
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“ Akshara Annexe Shiva Builders and Developers” and sought for the relief of apartment or compensation.

2. This project is not registered in RERA.
3. The brief facts of the case are that the complainants have booked their respective flats in the aforesaid project of the respondent in the year 2014 by entering into an agreement of sale dated 4<sup>th</sup> August 2014. The respondent has not completed the project even after a lapse of 5 years. Further, it is contended that they have borrowed bank loan for the same but now the bank has made it a personal loan. Hence, this complaint.
4. After registration of the complaint, in pursuance of notice served, the respondent-1 remained absent from appearance before the Authority during the proceedings held on 14.7.2021, 30.7.2021, 11.8.2021 and on 17.01.2023 whereas its counsel for respondent-2 has appeared before this Authority only on 11.8.2021. The counsel for respondent-2 claims that he was only a power of attorney holder which is also cancelled and that he has not received any consideration.
5. In support of their claim, the complainants have produced documents such as Agreement of sale dated 4<sup>th</sup> August 2014.
5. 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 **Akshara Annexe Shiva Builders and Developers, Saptapur, 2<sup>nd</sup> Cross, Opp: LIC Mukthamath House, Dharwad-580001** 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  
K-RERA

  
(G.R. Reddy)  
Member  
K-RERA

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

1. The first part of the document is a letter from the Secretary of the State to the Governor, dated 10th March 1871. It contains a report on the progress of the work done during the year, and a list of the names of the persons who have been appointed to various offices.

2. The second part of the document is a list of the names of the persons who have been appointed to various offices, and the names of the persons who have been re-elected to the same offices.

3. The third part of the document is a list of the names of the persons who have been appointed to various offices, and the names of the persons who have been re-elected to the same offices.

4. The fourth part of the document is a list of the names of the persons who have been appointed to various offices, and the names of the persons who have been re-elected to the same offices.

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9. The ninth part of the document is a list of the names of the persons who have been appointed to various offices, and the names of the persons who have been re-elected to the same offices.

10. The tenth part of the document is a list of the names of the persons who have been appointed to various offices, and the names of the persons who have been re-elected to the same offices.

11. The eleventh part of the document is a list of the names of the persons who have been appointed to various offices, and the names of the persons who have been re-elected to the same offices.

12. The twelfth part of the document is a list of the names of the persons who have been appointed to various offices, and the names of the persons who have been re-elected to the same offices.

13. The thirteenth part of the document is a list of the names of the persons who have been appointed to various offices, and the names of the persons who have been re-elected to the same offices.

James G. Thompson

Carl H. Thompson

James G. Thompson  
Secretary of the State  
1871