

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, HON'BLE CHAIRMAN

COMPLAINT NO.: CMP/UR/210914/0008330

DATED THIS 1ST DAY OF SEPTEMBER, 2023

COMPLAINANT.....

SHRADHANAND HALDANKAR,
B 403 RDCHS,
Pipe Line Ashlpha Village,
Ghatkoper West,
Maharashtra - 400084.

(In person)

V/S

RESPONDENT.....

ARATHI GUPTA,
3rd Floor, Sobha Pearl,
No.1, Commissariat Road,
Bengaluru - 560025.

(Ex-parte)

J U D G E M E N T

1. This complaint is filed under section 31 of the RERA Act against the project "Tala Valley - BID: B1205642" developed by "Expat Projects and Development Pvt. Ltd.," at Village Kashekhhol Taluka, Tala District, Raigad - 402111 for the relief of refund with interest.
2. This is an unregistered project.
3. **Brief facts of the complaint are as under:-**
4. The complainant had purchased one acre plot bearing booking ID No. B1205642 from the respondent by entering into token receipt agreement dated 20/02/2013 in the project Tala Valley for a total sale consideration of



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Rs.8,00,000/- (Rupees Eight Lakh Only) and till date the respondent has paid Rs.7,22,000/- (Rupees Seven Lakh Twenty Two Thousand Only). The complainant tried to contact the promoter through several calls and emails but those are unanswered and they are not bothered. Hence, this complaint.

5. After registration of the complaint, in pursuance of the notice, respondent has never appeared before this Authority and not contested the matter by filing statement of objections, producing documents etc.,
6. Matter was heard on 29/12/2022, 20/01/2023, 20/04/2023, 15/06/2023, 06/07/2023, 27/07/2023 and finally on 24/08/2023.
7. Heard complainant.
8. **On the above averments, the following points would arise for my consideration:-**
 1. Whether the complaint is maintainable?
 2. What order?
9. **My findings on the above points is as under:-**
 1. In the Negative.
 2. As per final order for the following

REASONS

10. **My finding on point No. 1:-** The complainant has approached this forum for the relief of refund with interest on the grounds that the complainant had entered into token receipt agreement dated 20/02/2013 for the purchase of one acre plot in the project Tala Valley situated at Village Kashekhhol, Taluk Tala, District Raigad, Maharashtra for the total sale consideration of Rs.8,00,000/- (Rupees Eight Lakh Only) and paid Rs.7,20,000/- (Rupees Seven Lakh Twenty Thousand Only). But the respondent has failed to handover the plot as agreed.



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11. The respondent has never appeared before this Authority and not contested the matter by statement of objections, producing documents etc.,
12. During the proceedings, it is noticed by this Authority that the project is situated at Village Kashekhhol, Taluk Tala, District Raigad, Maharashtra. Therefore, this Authority doesn't have jurisdiction to entertain this matter.
13. Accordingly, the point raised above is answered in the Negative.
14. **My findings on point No. 2:-** In view of the above discussion, this complaint deserves to be dismissed. Hence, I proceed to pass the following order.

ORDER

In exercise of the powers conferred under section 31 of the Real Estate (Regulation and Development) Act, 2016, the complaint bearing No. CMP/UR/210914/0008330 is hereby dismissed as not maintainable.


(H.C. KISHORE CHANDRA)

Chairman
K-RERA

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