

ಕರ್ನಾಟಕರಿಯಲ್ 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 BEFORE THE AUTHORITY**

**Dated 15th September 2023**

**CMP/220206/0008965**

**Present**

**Hon'ble Chairman Shri. H.C. Kishore Chandra**

**Hon'ble Member Shri. G.R.Reddy**

**Complainants.....**

**1. Anita Roy**  
**2. Ajoy Chandra Roy**  
B-206, 2nd Floor,  
Ram Nisarga Apartment,  
29th Cross, Kaggadaspura,  
CV Raman Nagar,  
Bengaluru - 560093.  
(By Shri. Abheek Saha, Advocate)

**V/S**

**Respondent.....**

**FRONTIER SHELTERS PVT LTD**  
NO 422 80 FEET ROAD,  
6TH BLOCK KORAMANGALA  
Bengaluru-560095.  
(By Shri. Girish Kumar, Advocate )

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1. This complaint is filed under section 31 of the RERA Act against the project "FRONTIER HEIGHTS" developed by "FRONTIER SHELTERS PVT LTD" of the respondent for the relief of possession with all amenities.





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**REASONS**

**11. Findings on Point No.1:-** The complainants have approached this forum seeking for the relief of possession with all amenities. The grounds urged are that the complainants have booked a flat bearing No.3011 in the project of the respondent by entering into agreement of sale and construction agreement on 21/05/2020. As per the said agreements the respondent was supposed to handover possession of the said flat to the complainants in October 2020. But till date he has not handed over the possession of the flat to the complainants with all the amenities as agreed.

12. Looking to the averments of agreement, parties herein have entered into an agreement of sale on 21/05/2020. The agreement of sale is a key instrument which binds the parties in a contractual relation so as to be properly enforced in accordance with law, it is quite necessary that it shall be free from any ambiguity and vagueness. As per the terms of agreement of sale, the respondent was supposed to handover the possession of said flat to the complainants in October 2020 along with amenities as agreed in Annexure II of construction agreement dated 21/05/2020. But the respondent had not completed and handover the possession of the said flat to the complainants till date.

13. In response to the notice the respondent has appeared before the Authority through his counsel. But, he has not contested the matter by participating in the proceedings, filing objections, producing documents on his behalf etc. Therefore, claim of the complainants remained undisputed and unchallenged. Hence, there is no reason to discard the claim of complainants. In the absence of any resistance by the respondent no option is left to this Authority except to accept the claim of complainants which is corroborated with the cogent evidence.

16. Having regard to all these aspects this Authority is of the view that complainant is entitled for possession of his flat along with all the

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**Karnataka Real Estate Regulatory Authority,**

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project FRONTIER HEIGHTS to the complainants  
within 60 days from the date of this order.

2. The complainants are at liberty to initiate action in  
accordance with law, if the respondent fails to  
comply with this order.

No order as to costs.

  
**(G.R.Reddy)**  
Member  
K-RERA

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

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