



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತದ ಸಂಖ್ಯೆ 4608

ಪುಟ ಸಂಖ್ಯೆ 4

ವಿಷಯ Mr. Ragolee Srinivasa

Shri Rama Green Field.

ಕಂಡಿಕೆ
ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

Execution Order

Dated : 27.01.2021

CMP 4608

Complaint under Section 31 of RERA Act has been initiated by the complainant Mr.Ragolu Srinivasa Rao and Another who is the buyer under the project "Shri Rama Green Field Phase-I" which is developed by "Sri Vision Towers Private Ltd.," This complaint was filed by the complainant claiming Delay Compensation. After hearing the parties, order was passed on 16/06/2020 by directing the developer to pay interest @ 2% above the MCLR of SBI commencing from 01/07/2018 till the 30/11/2019 since the possession is delivered to the complainant.

The developer is also directed to pay Rs.5,000/- as cost of this petition.

The complainant has calculated for the amount paid by him was on 01/07/2018 is Rs.51,56,519/.,with interest @9% p.a. on the said amount paid by him commencing from



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ವಿಷಯ Mr. Ragolu Srinivasa
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	<p>01/07/2018 to 30/11/2019 which totally comes to Rs.6,57,350/-.</p> <p>Total amount due from the developer is Rs.6,57,350+5000/- which comes to Rs.6,62,350/-</p> <p>The complainant has given a representation with memo of calculation since the developer failed to comply with the same. There is no appeal. Objections called for but not filed.</p> <p>As per Rule 25 of the Karnataka Real Estate (Regulation and Development) Rules, 2017 the recovery of the amount due is to be considered as arrears of land revenue. In support of the same the authority is taking the shelter under Section 40 of the RERA Act which reads as follows;</p> <p><i>Sec 40(1): "if a promoter or an allottee of a real estate agent, as the case may be, fails to pay any interest or penalty or compensation imposed on him, by the adjudicating officer or the regulatory authority or the appellate authority, as the case may be, under this Act or the rules and regulations made there under, it shall be recoverable from such promoter or allottee or real estate agent, in such manner as may be prescribed as an arrears of land revenue"</i></p>



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15)	<p>When Sec. 40 read with Rule 25, the Deputy Commissioner is empowered to execute the order dated 16/06/2020 considering this amount as arrears of land revenue and has to be recovered from the developer. Hence the following</p> <p style="text-align: center;"><u>ORDER</u></p> <p>By acting under Section 40(1) of the RERA Act, read with Rule 25, the amount payable of Rs. 6,62,350/- which is treated as arrears of land revenue from the developer "Sri Vision Towers Private Ltd.," and the same has to be recovered by sending the file to Deputy Commissioner for recovery as arrears of land revenue. The same amount shall be deposited in the office Account.</p> <p>The above amount has been calculated till the end of the November 2019.</p> <p>Office is hereby directed to mention in the recovery warrant</p> <p>a. As to the recovery of future interest on the amount of Rs.51,56,519/- @9% p.a. whenever it falls due, from December 2019 to till realization.</p> <p style="text-align: right;">(I.F BIDIRI) Adjudicating Officer</p>
16)	Under Secretary
17)	3

17) 3684/2021