



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತದ ಸಂಖ್ಯೆ 2977

ಪುಟ ಸಂಖ್ಯೆ 08

ವಿಷಯ Prakash S.D.

Purva Sunflowers.

ಕಂಡಿಕೆ
ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

Date : 15.02.2021

EXECUTION ORDER :

CMP 2977

Complaint under Section 31 of RERA Act has been initiated by the complainant Mr. Prakash S D who is the buyer under the project "Purva Sunflower" which is developed by "Purvankara Pvt. Ltd.," This complaint was filed by the complainant seeking delay compensation. After hearing the parties, order was passed on 16/01/2020 by directing the developer to pay delay compensation @ 2% above the MCLR of SBI from 01/07/2018 till the date of execution of sale deed.

The developer also directed to pay interest @ 2% above the MCLR of SBI on the total amount paid by him from 01/07/2018. Now the complainant calculated @ $8.20+2\%=10.20\%$ on the total amount of Rs.79,15,398/-. From 01/07/2018 till 25/06/2019 which total comes to Rs.7,94,100/-

Therefore the total interest payable by the developer from 01/07/2018 to till 25/06/2019 is Rs.7,94,100/-.

Total amount due from the developer is Rs.7,94,100/-.



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತದ ಸಂಖ್ಯೆ 2977

ಪುಟ ಸಂಖ್ಯೆ ೪೧

ವಿಷಯ *Prakash S.D.*
Purva Surflower

ಕಂಡಿಕೆ
ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

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.

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;

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"

When Sec. 40 read with Rule 25, the Deputy Commissioner is empowered to execute the order dated 16/01/2020 considering this amount as arrears of land revenue and has to be recovered from the developer. Hence the following



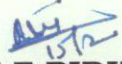
ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತದ ಸಂಖ್ಯೆ 2977

ಪುಟ ಸಂಖ್ಯೆ 10

ವಿಷಯ Prakash S.D.

Purva Sunflower

ಕಂಡಿಕೆ ಸಂಖ್ಯೆ	ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು
13)	<p style="text-align: center;">ORDER</p> <p>By acting under Section 40 of the RERA Act, read with Rule 25, the amount payable of Rs.7,94,100/- which is treated as arrears of land revenue from the developer "Purvankara Pvt. 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 25th June 2019.</p> <p>Office is hereby directed to mention in the recovery warrant.</p> <p style="text-align: right;"> (I.F.BIDIRI) Adjudicating Officer</p>