

**IN THE KARNATAKA REAL ESTATE APPELLATE TRIBUNAL,
BENGALURU****DATED THIS THE 10th DAY OF AUGUST, 2021****PRESENT****HON'BLE SRI B SREENIVASE GOWDA, CHAIRMAN****AND****HON'BLE SRI K P DINESH, JUDICIAL MEMBER****AND****HON'BLE SRI P S SOMASHEKAR, ADMINISTRATIVE MEMBER****APPEAL NO. (K-REAT) 335/2020****BETWEEN:**

1. M/S Nandi Developers,
office at No.18(2 and 3) 'Nandi Vishwas"
Uttarahalli Main Road,
Bengaluru-560061
Pan No.AAKFN8632P,
A company Registered under the Companies Act 1956
and Represented by it's
Managing partner/Authorized Signatory
Sri.A.D.Narayana Reddy,
aged about 56 years,
S/O Late Subramanya Reddy
2. Sri. A.D.Narayana Reddy
S/O Late Subramanya Reddy,
Aged about 56 years,
Managing partner M/S Nandi Developers,
Residing at No.23, 60/1,
Sri. Srinivasam, 4th Main,
K.S.R.T.C Layout, Chikkallasandra,
Bengaluru-560061
3. Sri. Balakrishna.G
S/O Late K.Govindaswamy Naidu,
Aged about 28 years,
Managing partner M/S Nandi Developers,
Residing at No.23/A, 7th Cross, 2nd Main, Kathriguppe,
Bengaluru-560085

...APPELLANTS

(Rep. by Sri T N Vishwanth & Sri. T N Ramesh, Advocates)



AND

1. The Karnataka Real Estate Regulatory Authority,
No.1/14, 2nd Floor,
Silver Jubilee Block,
Unity Building backside.
CSI compound,
3rd cross, Mission Road,
Bengaluru 560027.
Represented by its Secretary.
2. Mr. G. Naveen Bairy,
S/O G.L. Bairy,
aged about 40 years,
3. Mrs.Ramya A. Alse,
W/O Mr. G. Naveen Bairy,
Aged about 37 years,
Respondent No.2 and 3 residing
at Apartment No.307,
Nandi Forest View Apartments,
Dwarakanagar, B.D.A Link Road,
B.S.K, 5th Stage, Channasandra,
Bangalore-560098
4. Mrs. Harsitha Kumar
D/O Sri. K.Kumar,
Aged about 28 years,
Residing at No.10, Ramachandrappa Layout,
1st Main, R.K.Layout,
Padmanabhanagar, ,
Bangalore-560070
5. Mrs.Twinkle Gowda
D/O Sri.K.Kumar,
Aged about 24 years,
Residing at No.10, Ramachandrappa Layout,
1st Main, R.K.Layout,
Padmanabhanagar, ,
Bangalore-560070

...RESPONDENTS

(R1 served, unrepresented)

(Ms. Anitha for M/S Trail Base, Adv for R2 and R3)

(R4 and R5 - Notice served, unrepresented)



This Appeal is filed under Section 44 of the Real Estate (Regulation and Development) Act, 2016, before this Tribunal praying to call for the records and set aside the order dated 19th February, 2020 passed in CMP/190420/0002710 by respondent No.1-Adjudicating Officer, RERA.

This appeal, coming on for Orders this day, Hon'ble Chairman delivered the following:

J U D G M E N T

The appellants, who are promoters of a real estate project known as "NANDI FOREST VIEW" have preferred this appeal challenging the impugned order passed by the learned Adjudicating Officer directing the developer to pay delay compensation awarded to Respondents 2 and 3-allottees.

2. The learned counsel appearing for the promoters and allottees submit that the promoters and allottees, after due deliberation and discussion of their dispute pertaining to the complaint No. CMP/190420/0002710/2019 and this appeal, have got settled their dispute amicably out of court.

3. Sri A.D.Narayana Reddy, 2nd appellant who is one of the Managing partners of the first appellant-company is present. Respondents 2 and 3 who are husband and wife and allottees of a flat are also present.

4. A memo signed by the 2nd appellant on his behalf, on behalf of appellant No.1 as its Managing partner and also on behalf of Appellant



- iv) In view of disposal of the appeal in terms of Memos, pending I.As, if any, stand disposed of as they do not survive for consideration;
- v) In the event of parties applying for certified copy of today's order, the same shall be issued along with copy of Memo filed today;
- vi) Registry is directed to comply with the provision of Section 44(4) of the Act and to return the records to RERA, if any received.

No order as to costs.

Sd/-

HON'BLE CHAIRMAN


Sd/-

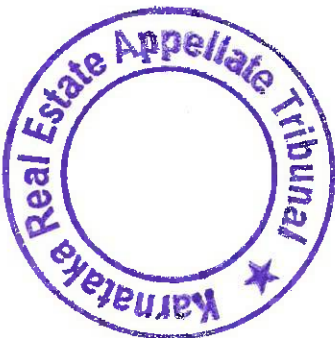
HON'BLE JUDICIAL MEMBER

Sd/-

HON'BLE ADMINISTRATIVE MEMBER

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SECTION OFFICER
KARNATAKA REAL ESTATE
APPELLATE TRIBUNAL
BENGALURU - 560 027



Place: Bengaluru
Date: 10.08.2021

**BEFORE THE HON'BLE KARNATAKA REAL ESTATE
APPELLATE TRIBUNAL, BENGALURU**

K-REAT.APPEAL 335/2020

BETWEEN:

M/s NANDI DEVELOPERS
& OTHERS

APPELLANTS

AND:

THE KARNATAKA REAL ESTATE
REGULATORY AUTHORITY & OTHERS

RESPONDENTS

MEMO

The undersigned Respondent Nos. 2 & 3 humbly submit that they have settled their claim in CMP/190420/0002710/2019 amicably with the Appellant M/s Nandi Developers. The undersigned Respondents have received a sum of Rs.1,75,000/- (Rupees One Lakh Seventy Five thousand only) by way of Account Payee Cheque, bearing No 349613 dated 10.08.2021 drawn on IDBI Bank, Banashankari 3rd Stage, Bengaluru in the name of Respondent No.2 from the Appellant towards Full and Final Settlement of their claim in CMP/190420/0002710/2019 and undertake to withdraw pending cases if any. The Appellant assures to co operate with the process of transfer of Katha at the cost and scope of purchasers , rectification of intercom line and transfer of BESCOM Account in the name of the purchasers. In view of the Full and Final Settlement, the Appellant and Respondent Nos. 2 & 3 humbly pray this Hon'ble Authority to take this Memo on record and the Appeal may be disposed of accordingly in the interest of justice and equity.

AMOUNT

DEPOSITED HAVE REFUNDED TO THE APPELLANT

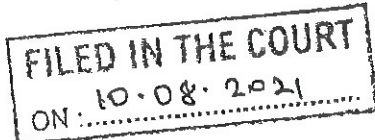
AS SETTLED OUT OF COURT AND

Advocate for Appellant

Appellant

Advocate for Respondent Nos.2&3

Respondent No.2 &3



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