



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತದ ಸಂಖ್ಯೆ 5140

ಪುಟ ಸಂಖ್ಯೆ 6

ವಿಷಯ Sonu George Easo
Palma Vista

ಕಂಡಿಕೆ ಸಂಖ್ಯೆ	ಟಿಪ್ಪಣಿ ಮತ್ತು ಅದೇಶಗಳು
	<p>Date:21/10/2021</p> <p>Execution Order in - CMP: 5140</p> <p>Complaint under Section 31 of RERA Act has been initiated by the complainant Mr.Sanu George Easo who is the buyer in the project under the project "Palm Vista" which is developed by "Pearl Communityone Developer Pvt. Ltd.," This complaint was filed by the complainant claiming refund. After hearing the parties, order was passed on 20/11/2020 by directing the developer to refund the amount of Rs.50,00,000/- together with simple interest @ 9% per annum on the respective amount paid on 30/04/2017 and @ 2 above the MCLR of SBI commencing from 01/05/2017 till the realization of entire amount.</p> <p>The developer is also directed to pay Rs.5000/- as cost of the petition.</p> <p>The complainant has calculated the amount paid by him was on 25/05/2015 is Rs.19,00,000/- with interest @9% p.a. on the said amount paid by him from 25/05/2015 to 30/04/2017 which comes to Rs.3,30,756/-.</p> <p>The complainant has calculated the amount paid by him was on 26/05/2015 is Rs.27,00,000/- with interest @ 9% p.a. on the said amount paid by him from 26/05/2015 to 30/04/2017 which comes to Rs.4,69,356/-.</p> <p>The complainant has calculated the amount paid by him was on 01/06/2015 is Rs.4,00,000/- with interest</p>



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತದ ಸಂಖ್ಯೆ 5140

ಮಟ ಸಂಖ್ಯೆ 7

ವಿಷಯ Sone George Saso
Palm Vista

ಕಂಡಿಕೆ ಸಂಖ್ಯೆ	ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು
	<p>@ 9% p.a. on the said amount paid by him from 01/06/2015 to 30/04/2017 which comes to Rs.68,942/-.</p> <p>The complainant has calculated the amount paid by him was on 01/05/2015 was Rs.50,00,000/- with interest @9.30% p.a. on the said amount paid by him from 01/05/2015 to 27/09/2021 which comes to Rs.20,52,369/-.</p> <p>Therefore the total interest payable by the developer from 25/05/2015 to till 27/09/2021 is Rs.29,21,423/-</p> <p>Total amount due from the developer is Rs.79,26,423/-</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.</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>

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಸಂಖ್ಯೆ 5140

ಪುಟ ಸಂಖ್ಯೆ 8

Saru George Easo
Palm Vista

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

When Sec. 40 read with Rule 25, the Deputy Commissioner is empowered to execute the order dated 20/11/2020 considering this amount as arrears of land revenue and has to be recovered from the developer. Hence the following

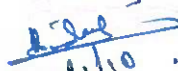
ORDER

By acting under Section 40 of the RERA Act, read with Rule 25, the amount payable of Rs.79,21,423/- which is treated as arrears of land revenue from the developer "Pearl Communityone Developer 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.

The above amount has been calculated up 27/09/2021.

Office is hereby directed to mention in the recovery warrant

a. As to the recovery of future interest on the amount of Rs.50,00,000/- @9.30% p.a. simple interest whenever it falls due, from 28/09/2021 to till realization.


(I F BIDARI)

Adjudicating Officer