

**PROCEEDINGS OF THE AUTHORITY**

**Dated 9<sup>th</sup> FEBRUARY 2022**

Reference No.	<b>ACK/KA/RERA/1251/309/PR/181129/002859</b>
Applicant / Promoter	<b>M/s ARINE STRUCTURES</b> No.6, 4 <sup>th</sup> Main, Ground Floor, Opp St Ann School, Akshaya Nagar, Begur, Bengaluru-560114.
Project Name	<b>ARINE GOLDEN BELLS</b> Sy.No.15-4 & 15-5, Shidedhahalli Village, Yeshwanthpura Hobli, Bangalore North Taluk, Bangalore Urban

The promoter filed an application on 29/11/2018 requesting for registration of the said project, which happens to be a mixed development project consisting residential flats and commercial units. On verification of the documents, the authority approved registration of the above said project vide No.**PRM/KA/RERA/1251/309/PR/190222/002445** under sub-rule (1) of Rule 6 of the Act valid till 30-7-2021, which was further extended till 30-4-2022 due to covid pandemic.

On 13/10/2021, the Land Owner filed a submission to this office requesting for withdrawal of RERA registration granted by the authority to the project "ARINE GOLDEN BELLS". In her submission the Land Owner has stated that the withdrawal of RERA Registration is sought due to the sudden demise of the Promoter D.Thimma Reddy on 18/3/2019, by which time only 10% construction activities was taken up and after his demise the project is stopped permanently without any further development. It is also said that due to financial crisis the legal heirs of the erstwhile promoter's

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ಕರ್ನಾಟಕ ರಿಯಲ್ 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

wife Smt.D.Rangamma did not show interest to continue as promoter. The Land Owner has further submitted that after having amicable discussion with Smt. Rangamma, the JDA and GPA was got cancelled on 4/8/2020 at Sub-Registrar office, Nagarabhavi.

The Land Owner has further submitted that as she decided to continue with the construction on her own, but due to financial constraints could not do so. At that point of time M/s Clock Cruise International Pvt Ltd showed interest to take over the construction activities as a new promoter and accordingly entered into JDA. She further admits that the erstwhile promoter was to make an application under section 15 of the RERA Act to transfer his development right to intended promoter. Smt. Rangamma, wife of erstwhile promoter (on behalf of her deceased husband) tried to file an application through RERA web-portal but could not do so as she did not know the registered email ID and Mobile Number of the deceased promoter.

Without having further option, the Joint Memo for withdrawal is filed before the Authority. It is further said that there is no sale transaction taken place in favour of any allottee neither from the erstwhile promoter nor from Land Owner and have requested the authority to accord permission to withdraw RERA registration of the said project and enable to file new application through intending promoter M/s Clock Cruise International Pvt Ltd.

On 10/11/2021 notice was sent to the land owner/promoter to appear for hearing through Skype on 12/1/2021 before the authority. The Land

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Owner and Son appeared for the hearing and informed that the developer is no more. Death Certificate of D.Thimma Reddy was submitted. Ms.Sujatha, Advocate appeared on behalf of the landowner. The authority has noticed that the wife of deceased Thimma Reddy is an illiterate and is not aware of the happenings and hence they want to withdraw from the project. It was stated that 50% of the work is completed and that they would find another promoter to complete the project. The authority instructed to produce the following requirement:

1. A comprehensive statement of bank account.
2. A notice board to be put up at the Site regarding the status of the project.
3. Paper publication needs to be given about intention to change the promoter.
4. Particulars of mortgage, if any.
5. Advocate to give letter of request to the bank to provide details of Thimma Reddy's account.
6. Not to sell any units till the authority's order.

The case was posted for further hearing on 18/1/2022.

Smt. Manjula, Land Owner in her submission dated 14/1/2022 has informed that as per the directions of the Authority, paper advertisement in Indian Express and Kannada Prabha dated 7/1/2022 has been given; enclosing Karnataka Bank Letter dated 5/1/2022 and Joint Declaration Affidavit stating that no mortgage has been initiated towards any of the flats.

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Notice was sent to the land owner/promoter on 14/1/2022 to appear for hearing on 18/1/2022. The authority during the hearing stated that during the hearing of the case on 12/11/2021 certain documents were sought/action to be taken and observed that relevant documents are produced and paper advertisement is done. Karnataka Bank's letter addressed to Joint Secretary, KRERA stating that to maintain secrecy, bank account details cannot be disclosed to 3<sup>rd</sup> parties is produced.

In view of the aforesaid reasons, following order is passed.

**ORDER**

The application filed by the Land Owner for withdrawal of RERA registration approved by the authority vide No. **PRM/KA/RERA/1251/309/PR/190222/002445** for the project "**ARINE GOLDEN BELLS**" is hereby approved.

(Neelmani N Raju)

Member - 2  
KRERA

(D. Vishnuvardhana Reddy)

Member - 1  
KRERA

(H.C. Kishore Chandra)

Chairman  
KRERA