

BEFORE ADJUDICATING OFFICER RERA

BENGALURU, KARNATAKA

Date: 10th OCTOBER 2018

Complaint No.	Complainant Details
<u>CMP/180704/0001002</u>	Vishweshwar S Uppin Flat No. 306, Mahesh Residency, Gururwar Peth Tilakwadi, Belagavi - 590006
<u>CMP/180716/0001041</u>	Rajaram V Patil 906, Zenith Lotus County, Mandoli Road, Godsewadi Tilakwadi, Belagavi - 590006
<u>CMP/180719/0001053</u>	Jyothi J Iliger 1205, Zenith Lotus County, Mandoli Road, Godsewadi Tilakwadi, Belagavi, Karnataka - 590006
<u>CMP/180716/0001042</u>	Ashok S Yargattiimath 602, Zenith Lotus County, Mandoli Road, Godsewadi Tilakwadi, Belagavi - 590006
<u>CMP/180706/0001012</u>	Siddalingeshwar S Sangoli Flat No. 904, Zenith Lotus County, Mandoli Road, Godsewadi Tilakwadi, Belagavi - 590006.
<u>CMP/180625/0000957</u>	Prakash Vamanrao Diwan Flat No. 703, Zenith Apartment, Lotus County Mandoli Road, Belagavi, Karnataka - 590006
<u>CMP/180716/0001043</u>	Satish G Ganachari H.No.29, Survey No. 219 Lalit Guru, Adarsh Nagar M Vadgaon, Belagavi, Karnataka - 590006

Dehu

AND

Respondent : Satish Waman Giri
Zenith, M/s Lotus Landmark
(I) Pvt Ltd Lotus County
Mandoli Road, Godsewadi
Tilakwadi, Belagavi - 590006.

J U D G E M E N T

1. All the above complainants have been filed by their respective complaint under Section 31 of FERA Act against the project "Zenith" developed by M/s Lotus Landmark (I) Pvt. Ltd., Lotus County as they are all customers in the said project. The sum and substance of all the complaints is that the developer has failed to provide basic necessities to them. All the Complainants have filed their case separately but at the time of argument they have appeared collectively and represented their case.
2. Notice was issued to parties to appear before Adjudicating Officer. The final notice was issued calling to be present on 25/09/2018 and on that day both the parties were present and filed a memo of settlement which was acknowledged by all the complainants and submitted their consent to close their complaint based upon the memo either by themselves or through their authorised signatory. The Settlement Memo reads as follows:

***"I the undersigned advocate for Respondent
filing this memo, that all seven complaints***

and respondent have agreed on the terms as mentioned in the annexure to this memo. Kindly the same may be taken on record in the interest of Justice”

Lotus County Proposed Amenities At Tilakwadi,
Belgaum on 8th September 2018

Sl. No	Description	Proposed Completion Date	Remarks
1.	Imposing entrance gate to provide more stringent security arrangement at main gate	01/10/2018	
2.	Name plate for each flat	01/10/2018	
3.	Protection from lightening	01/11/2018	
4.	Building entrance lobby CCTV cameras, security guard with monitoring system	01/11/2018	
5.	Steam Bath	01/12/2018	
6.	Pool Snooker	31/12/2018	
7.	Digital Library	31/12/2018	
8.	Basketball Court	31/12/2018	
9.	Lawn Tennis Court		
10.	Panic Button & Doctor on call		
11.	Intercom at Various locations		
12.	Grocery, Pharmacy, Laundry & Restaurant		
13.	Electric Meters	01/01/2019	
14.	Open Cafeteria	01/02/2019	
15.	One acre landscape garden with jogging track at the periphery	01/02/2019	
16.	Rain water harvesting	01/02/2019	
17.	Sewage treatment plant	01/02/2019	
18.	Provision for water tank and transformers	01/02/2019	
19.	Fire escape	01/02/2019	
20.	Fire alarm system	01/02/2019	
21.	Retaining wall around the podium	01/02/2019	
22.	Arrangements for handicaps	01/02/2019	
23.	CC TV cameras for all floors	01/02/2019	
24.	Safety arrangement for lift	01/02/2019	
25.	Corporation water connection	01/02/2019	
26.	Eco friendly energy through wind mills and solar	01/02/2019	
27.	Water management system	01/02/2019	

Done

28.	Grass roof terrace garden	01/02/2019	
29.	Piped gas connection	01/02/2019	
30.	Separate Club House	04/08/2019	
31.	AC Soundproof function hall for 100 people	04/08/2019	
32.	Gymnasium	04/08/2019	
33.	Yoga Centre	04/08/2019	
34.	Meditation Centre	04/08/2019	

3. I have heard the parties and made enquiry on the said memo. The developer has agreed to provide the above said facilities to the complainants on the date mentioned against the each Item. The complainant also agreed to take the same. Both the parties have settled the matter and submitted to close their respective complaints. The original copy of this judgement shall be kept in this complaint bearing No. CMP/180704/0001002 and the copy of the judgment be kept in other complaints.

4. As per section 71(2) of RERA the complaint shall be disposed off by the Authority within 60 days from the date of receipt of the complaint. These complaints have been filed in the month of June and July. As per SOP, 60 days shall be computed from the date of appearance of the parties. In these case parties have appeared on different date in each case. Hence there is a little delay in closing the complaint. With this observation I proceed to pass the order.

[Handwritten signature]
[Handwritten text: 10/10/19]

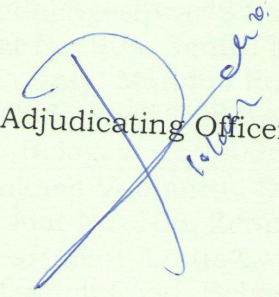
ORDER

All the above Complaints have been allowed by directing the developer to strictly adhere to the completion of the facilities within the time scheduled as per the above memo.

In case of failure on the part of the developer all the complainants are entitled to seek compensation as per the Section 18 of the RERA Act.

Intimate the parties regarding this order.

(Typed as per dictation corrected. Verified and pronounced on 10/10/2018)


Adjudicating Officer