



## ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತದ ಸಂಖ್ಯೆ CMP No. 512 ಪುಟ ಸಂಖ್ಯೆ -5-  
ವಿಷಯ Mr. Niranjana Goyal and Sweta Goyal  
Purva Westend Phase - 2

ಕಂಡಿಕೆ  
ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಅದೇಶಗಳು

**Date: 13/09/2022**

**Execution Order :**

**CMP/180225/0000512**

Complaint under Section 31 of RERA Act has been initiated by the complainant **Mr. NIRANJAN GOYAL** and **Mrs. SWETA GOYAL** who is the buyer under the project "**PURVA WESTEND PHASE 1**" which is developed by "**M/s PURVANKARA LTD.**" This complaint was filed by the complainant claiming delay compensation. After hearing the parties, order was passed on 24/05/2018 by directing the developer to pay delay compensation to the complainant of Rs 50,000/-

Total amount due from the developer is Rs.50,000/-.

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*





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ಕಡತದ ಸಂಖ್ಯೆ CMP No. 512 ಪುಟ ಸಂಖ್ಯೆ 6  
ವಿಷಯ per. Nirangan Goyal and Sweta Goyal  
Purva Weekend Phase 2

ಕಂಡಿಕೆ ಸಂಖ್ಯೆ	ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು
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*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 24/05/2018 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. 50,000/-**. Which is treated as arrears of land revenue from the developer "**M/s PURVANKARA 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.

Office is hereby directed to mention in the recovery warrant.

*(Signature)*  
13/9/22  
(I.F BIDIRI)

**Adjudicating Officer**