

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

**PROCEEDINGS OF THE AUTHORITY U/S 8 OF THE ACT**

**Dated 23rd September 2022**

RERA Registration No.	"Nitesh Caesars Palace Phase-2" PRM/KA/RERA/1251/310/PR/180509/001675
Promoter/Transferor Name	NEL HOLDINGS LIMITED (formerly known as Nitesh Estates Limited) Regd. Office No.110, Level 1, Andrews Building M.G. Road, Bengaluru-560 001.
Promoter/Transferee Name	B.R. SHETTY & ASSOCIATES LLP (wherein, the home buyers association and land owners jointly formed the partnership firm) No.24, M.N. Krishna Rao Road, Basavanagdi Bangalore-560 004.

1. The project "Nitesh Caesars Palace Phase-2" consists of 2 Phases i.e. Phase-I consisting of A,B,C,D towers and Phase II consisting of E,F,G & towers.
2. The Applicant-Promoter, NEL Holdings South Limited, has on 23.09.2020 in his application to K-RERA has requested for transfer the Rights of the project to B.R. Shetty & Associates LLP. The consent of the 2/3 allottees was also subsequently submitted.
3. Nitesh Caesars Palace project i.e. Phase I consisting of A,B,C & D towers was completed on January 2017 and completion certificate was obtained by Design Front Architects on 02.04.2017. The outgoing Promoter, namely NEL Holdings Limited has not registered the said towers of the project as ongoing project and therefore the order of the Authority u/s 8 of the Act was restricted to Phase-II, consisting of E,F,G,H towers.
4. The Authority vide proceedings dated 30<sup>th</sup> June 2021 have permitted the transferee-promoter, namely BR Associates to take over the project, namely Nitesh Caesar Palace Phase-II with immediate effect.

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5. Further the authority vide corrigendum dated 30/09/2021 has passed Order regarding transfer of right of the Project "Nitesh Ceasar Palace Phase-2" dated 30/06/2021. In the said order on Page 4 and 5 in para 12 name of the incoming promoter has been typed as BR associates. The words BR Associates shall be read as BRS associates.
6. In Para 1 of the Proceedings of the Authority dated 30/06/2021, it has been inadvertently mentioned as the project having 242 units in Phase-2 blocks i.e. E,F,G and H, whereas it should be read as "Phase I consisting of A,B,C,& D towers and Phase II consisting of E,F,G,& H towers".
7. Further clarification to the fact that the order dated 30/06/2021 is for block E,F,G & H is found necessary.

**Section 39** of the Act reads as under:

*"The authority may, at any time, with a period of two years from the date of the order made under this Act, with a view to rectifying any mistake apparent from the record, amend any order passed by it, and shall make such amendment, if the mistake is brought to its notice by the parties.*

*Provided further that the Authority shall not, while rectifying any mistake apparent from record, amend substantive part of its order passed under the provisions of this Act".*

8. The Authority has passed this order on 30<sup>th</sup> June 2021 and hence it is within 2 years from the date of order.
9. Having regard to the facts and in the circumstances of the case, the Authority issues the following order:

**ORDER**

1. **Para-2** of the order dated 30/06/2021 is rectified to the effect that BRS Associates is permitted to take over Nitesh Ceasers Palace Phase-II consisting of E,F,G & H towers with effect from 30/06/2021.
2. It is only a rectification of mistake apparent from the records.

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3. There is no appeal pending on this order dated 30/06/2021 to the knowledge of the Authority.
4. The Authority is satisfied that this modification is for rectifying mistake which is apparent from the record and no substantive part of its order has been modified.

  
(D. Vishnuvardhana Reddy)  
Member-1  
K-RERA

  
(Neelmani N. Raju)  
Member-2  
K-RERA

  
(H.C. Kishore Chandra)  
Chairman  
K-RERA

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