



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತದ ಸಂಖ್ಯೆ

CMP No. 275

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PRAKASH. C. KURATTI

GOLDEN BLOSSOM

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ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

Date: 18/08/2022

35

Execution Order :

CMP/171127/0000275

Complaint under Section 31 of RERA Act has been initiated by the complainant Mr. PRAKASH C KURATTI who is the buyer under the project "PARECK GOLDEN BLOSSOM" which is developed by "GOLDEN HOMES TRADING CORPORATION.". This complaint was filed by the complainant seeking amount from the developer by selling the plot measuring 650 sq ft. as the developer has failed to complete the project on time. After hearing the parties an order was passed on 20/07/2018 by directing the developer to act as per the memo filed on 17/07/2018 and in case if he fails, he shall be the liable to compensate as per section 18.

The complainant has calculated the total amount paid by him is Rs.9,75,000/- from 20.08.2018 to 20.07.2022 on the said amount paid which interest totally comes to Rs.4,07,550/-.

Total amount due from the developer is Rs 13,82,550/-

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.



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ಕಡತದ ಸಂಖ್ಯೆ CMP No. 275

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ವಿಷಯ PRAKASH. C. KURATTI
GOLDEN BLOSSOM

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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 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 20/07/2018 considering this amount as arrears of land revenue and has to be recovered from the developer. Hence the following order:

ORDER

By acting under Section 40 of the RERA Act, read with Rule 25, the amount payable of Rs. 13,82,550/- to the complainant is treated as arrears of land revenue from the developer "Golden Blossom" 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 recovered in the name of the complainant Mr Prakash C Kuratti.

The above amount has been calculated up to 20/07/2022.

(I.F BIDIRI)

Adjudicating Officer