



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತದ ಸಂಖ್ಯೆ CMP No. 4717

ಪುಟ ಸಂಖ್ಯೆ -3 -

ವಿಷಯ PRABHA KRISHNAN

ARV Temple Tree

ಕಂಡಿಕೆ
ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

Date: 16/12/2022

Execution Order : CMP/191202/0004717

Complaint under Section 31 of RERA Act has been initiated by the complainant **"PRABHA KRISHNAN"** who is the buyer under the project **"ARV TEMPLE TREE"** which is developed by **"K RAMALINGA REDDY"**. This complaint was filed by the complainant claiming refund and pay delay compensation. After hearing the parties, order was passed on 20/05/2020. The developer is hereby directed to refund of the amount Rs.52,23,770/- . The developer is hereby directed to pay delay compensation @9% p.a. on respective amount paid on the respective dates and @2% above the MCLR of SBI commencing from 01.05.2017 till the realization of entire amount.

The complainant has calculated the total amount paid by him was on from 15/03/2014 to 30/04/2017 with interest of @ 9% per annum on the said amount which interest totally comes to Rs.11,51,516/- and from 01/05/2017 to 15/10/2022 with interest of @ 2% per annum above the MCLR of SBI on the said amount paid which interest totally comes to Rs.26,60,096/-.

The respondent is directed to pay Rs.5,000/- as cost of this petition to the complainant.

Total amount due from the developer which comes is Rs.90,35,382/-.

The complainant has given a representation with memo of calculation dated: 15/10/2022. Since the developer failed to comply with the same. There is no appeal.



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತದ ಸಂಖ್ಯೆ CNP No. 4717

ಪುಟ ಸಂಖ್ಯೆ -4-

ವಿಷಯ Prabhakar Krishnan
ARV Temple tree

ಕಂಡಿಕೆ
ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

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 20/05/2020 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. 90,35,382/-. Which is treated as arrears of land revenue from the developer "**K RAMALINGA REDDY**" 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.

The above amount has been calculated up to dated:15/10/2022. Office is hereby directed to mention in the recovery warrant.



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತದ ಸಂಖ್ಯೆ CMP No. 4717

ಪುಟ ಸಂಖ್ಯೆ - 5 -

ವಿಷಯ

Prabha Krishnan

ARV Temple Tree

ಕಂಡಿಕೆ
ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

As to the recovery of future interest on the amount of Rs. Rs.52,23,770/- @2% per annum above the MCLR of SBI simple interest, whenever it falls due, from 16/10/2022 to till realization.


16/12/22

(I.F. BIDIRI)

Adjudicating Officer