



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತ ಸಂಖ್ಯೆ CMP no. 900

ಪುಟ ಸಂಖ್ಯೆ -10-

ವಿಷಯ Renuka Ramakrishnan
Unishire Premia

ಕಂಡಿಕೆ
ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

Date: 10/02/2023

Execution Order : CMP/180607/0000900

Complaint under Section 31 of RERA Act has been initiated by the complainant **"RENUKA RAMAKRISHNAN"** who is the buyer under the project **"UNISHIRE PREMIA"** which is developed by **"UNISHIRE SKYSCAPES LLP"**. This complaint was filed by the complainant claiming for delay compensation. After hearing the parties, order was passed on 07/11/2018 by directing the developer to Rs 12/- per sq.ft. for monthly from January 2018 to till the possession of the allotted flat.

According to him total square feet 1776 as Rs 12/- per sq.ft. for monthly from January 2018 to January 2023 the amount has comes as Rs 13,00,032/- .

Total compensation cost amount due from the developer which comes is Rs. 13,00,032/-.

The complainant has given a representation with memo of calculation dated: 08/02/2023, since the developer failed to comply with the same.

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;




ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತ ಸಂಖ್ಯೆ CMP No. 900

ಪುಟ ಸಂಖ್ಯೆ - 11 -

ವಿಷಯ Renuka Ramakrishnan
Unishire premia

ಕಂಡಿಕೆ ಸಂಖ್ಯೆ	ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು
	<p>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"</p> <p>When Sec. 40 read with Rule 25, the Deputy Commissioner is empowered to execute the order dated 07/11/2018 considering this amount as arrears of land revenue and has to be recovered from the developer. Hence the following</p> <p style="text-align: center;"><u>ORDER</u></p> <p>By acting under Section 40 of the RERA Act, read with Rule 25, the amount payable of Rs.13,00,032/-. Which is treated as arrears of land revenue from the developer "UNISHIRE SKYSCAPES LLP" 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.</p> <p>The above amount has been calculated up to January 2023. Office is hereby directed to mention in the recovery warrant. As to the recovery of future Rs 12/- per sq. ft. per monthly from February 2023, whenever it falls due, to till the possession of the allotted flat.</p> <p style="text-align: right;">  (I.F. BIDIRI) Adjudicating Officer </p>