



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತ ಸಂಖ್ಯೆ CMP No. 9298 ಪುಟ ಸಂಖ್ಯೆ -20-

ವಿಷಯ Rajesh Kumar Manoharan

Mahaveer Zephyr Phase - II

ಕಂಡಿಕೆ ಸಂಖ್ಯೆ	ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು
31	<p>Date: 02/02/2024</p> <p>Execution Order : CMP/220401/0009298</p> <p>Complaint under Section 31 of RERA Act has been initiated by the complainant "RAJESHKUMAR MANOHARAN" who is the buyer under the project "MAHAVEER ZEPHYR PHASE II" which is developed by "REDDY HOUSING PRIVATE LIMITED.,". This complaint was filed by the complainant claiming compensation. After hearing the parties, order was passed on 06/05/2023 by the respondents are hereby directed to pay compensation of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) to the complainant, which it will carry 6% interest P.A. till payment of entire amount.</p> <p>The respondents are hereby directed to pay compensation of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) to the complainant. which he has calculated the interest @6% p.a. from 20/06/2023 to 23/01/2024, which interest comes as Rs.5350/-.</p> <p>The respondents shall have to pay an amount of Rs.5,000/- (Rupees Five Thousand only) to the complainant towards cost of litigation.</p> <p>Total amount due from the developer which comes is Rs.1,60,350/-.</p> <p>The complainant has given a representation with memo of calculation dt:23.01.2024, since the developer failed to comply with the same.</p>



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ಕಡತ ಸಂಖ್ಯೆ CMP NO. 9298

ಪುಟ ಸಂಖ್ಯೆ -21-

ವಿಷಯ Ragesh Kumar Manoharan
Mahaveer Leptys Phase-II

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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 06.05.2023, 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.1,60,350/-. Which is treated as arrears of land revenue from the developer **"REDDY HOUSING PRIVATE LIMITED"** 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.



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Rajesh Kumar Manoharan

Mahaveer Zephyr Phase-I

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The above amount has been calculated up to 23.01.2024. Office is hereby directed to mention in the recovery warrant. As to the recovery of future interest on the amount of Rs.1,50,000/- @6% per annum, whenever it falls due, from 24.01.2024 to till payment of entire amount.


(I.F. BIDIRI)

Adjudicating Officer