

BEFORE THE REAL ESTATE REGULATORY AUTHORITY

EXECUTION CASE

IN

COMPLAINT NO. 2972 of 2019

Between:

Mr Subhasish Chakraborty & Another

COMPLAINANTS

And

NHDPL South Private Limited

(formerly, Nitesh Housing Developers Pvt. Ltd.)

RESPONDENT

JOINT MEMO

The Complainants and the Respondent jointly submit as follows:

1. The Complainants have filed the captioned complaint seeking enforcement of the Order dated 04.12.2019 passed by this Authority in the Complaint No 2972/2019. The matter is currently pending execution.
2. It is submitted that during pendency of execution of the Order dated 04.12.2019, the Respondent has filed an application before this Authority under Section 15 of the RERA Act, seeking to transfer the Nitesh Napa Valley Project (being the subject matter of disputes between the parties herein) to another developer by the name of True-Blue Realty Private Limited ("TBRPL"). Accordingly, TBRPL has undertaken to complete the project within a defined timeline once the project is transferred to TBRPL. This Authority has granted approval for transfer of the project to TBRPL on 5 October 2020.
3. The Complainants, in the interest of the having the project completed by TBRPL and for taking over possession of their Villa upon completion thereof, are agreeable to TBRPL's promise to complete and handover their Villa upon transfer of the project from NHDPL South Pvt. Ltd ("NHDPL").
4. In view of the foregoing, the Complainants hereby seek the permission of this Hon'ble Court to withdraw the claims made under their complaint and execution proceedings aforementioned as against NHDPL. The Complainants reserve their rights in law to seek appropriate remedies against TBRPL in the event that TBRPL fails to complete the project within the specified timelines. As such, this Joint Memo be kindly be treated as a conditional Memo of withdrawal by this Authority.

The above submission may kindly be taken on record for necessary orders of this Authority, in the interests of justice.

Bengaluru

Date: 18.11.2020.

COMPLAINANTS

ADVOCATE FOR THE
COMPLAINANTS

For NHDPL SOUTH PRIVATE LIMITED

[ANISHA AATRESH]