

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

Karnataka Real Estate Regulatory Authority,

1/14, 2nd Floor, Silver Jubilee Block, Unity Building Backside, CSI Compound,
3rd Cross, Mission Road, Bengaluru-560027

ORDER

Dated 8th of October 2021

Complaint No. CMP/200317/005750

VIJAY ANAND

.....Complainant

No. 263, 2nd Block,
Srinivasa Street, 1st R. Nagar,
Bengaluru – 560028.

AND

V. VENTURE

.....Respondent

332, Ganapathi Krupa,
28th Main Road, 38th Cross Road,
9th Block, Jayanagar,
Bengaluru – 560069.

This complaint is filed by the complainant Mr. Vijay Anand against the developer V. Venture seeking a relief of cancellation of Registration of the Project on the ground that promoter has been constructing a building in Sy. No. 20, Basapur, on a land belonging to complainant's family, whereas in their advertisement they have incorrectly mentioned that the project is being constructed in mentioned Sy. No. 133/6, Doddathaguru village, Begur. Complainant has submitted that he has given all the documents to the builder a year back with a survey report and contended that the construction being carried out is illegal since the land does not belong to the Developer. Hence, the complainant has prayed to cancel the Registration of the Project.

Vishu

Relu

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

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After registering the complaint, notices were sent to both the parties. In response to the notices issued, complainant has failed to appear before this Authority, whereas promoter has appeared through his counsel on 18/09/2020 and filed statement of objections on 07/10/2020.

On 22/12/2020 present complaint has been transferred to this Authority on the ground that Adjudicating Officer does not have jurisdiction on the subject matter of the complaint. This Authority has issued further notices to both the parties through mail. Both the parties have not appeared before this Authority. Learned counsel for respondent filed a Memo dated 27/09/2021 along with order copy in writ petition No. 15025 of 2020 (GM-RES) in which the Writ Petition filed by the present complainant came to be dismissed for non-prosecution. Perused the same. The gist of the complaint is that the Complainant is the owner of 7 guntas of land in Sy. No.20 of Basapur village and Respondent No.4, i.e. present promoter has obtained sanction of building plan, which includes the land of the complainant. Learned counsel for respondent No.4, BBMP has submitted before the Hon'ble High Court of Karnataka that BBMP has not sanctioned any plan pertaining to Sy. No. 20 of Basapur Village.

Non-appearance of the complainant is construed as lack of interest on the part of the complainant to pursue this complaint before this Authority. Hence, the following order is passed.

Vishu

HLS

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

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ORDER

The complaint No.CMP/200317/005750 is
dismissed for non – prosecution.

Intimate the same to both the parties.


(D. Vishnuvardhana Reddy)

Member – 1
KRERA


(Neelamani N Raju)

Member-2
KRERA

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