

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

PROCEEDINGS OF THE AUTHORITY

Dated 8th February 2022

COMPLAINANTS

1. CMP/UR/210303/0007728

SYED SIRAJ AHMED

F1003, Ajmera Green Acres Apartments,
Kalena Agrahara, Banner Ghatta Road,
Bangalore – 560076.

2. CMP/UR/210731/0008184

MR ELVIS RODRIGUES AND

MRS GLADYS RODRIGUES

Anniek, Near Canara Bank,
Katapadi, Post, Udupi – 574105.

3. CMP/UR/210302/0007723

MAHABALA M

Sri Vathsa, Prashanth Nagar,
Derebail, Mangalore – 575006.

4. CMP/UR/210302/0007722

MR KESHAV AMIN

Sagar Electricas, Kavoor Towers,
Kavoor, Mangalore – 575015.

5. TMP/210224/0007690

MRS MARIA GRATIA FERNANDES

Ruach Tov, Church Compound,
Kulshekar – 575005.

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6. CMP/UR/210731/0008187

DR BHASKER BAPPAL AND

MRS HEMAVATHY KUMBLA,

J B Compound, Jeppu, Mangalore – 575002.

7. CMP/UR/210731/0008182

MS REEMA RENITA HELEN MONTEIRO,

C - 605, Canopy Apartment,
Ashoknagar, Mangalore – 575006.

8. CMP/UR/210731/0008188

MR SUJAY ROYSON PAIS AND

MRS LENITA QUADROS

C-603, Canopy Apartment,
Ashoknagar Road, Urwastore,
Mangalore – 575006.

9. CMP/UR/210731/0008190

MRS ZULEKHA MOHAMMED,

C504, Canopy Apartment,
Urwastore, Mangalore – 575006.

10. CMP/UR/210731/0008189

MR SUBHAS CHANNAPPA YARAGAL

AP-32, Nitk Staff Quarters,
Srinivasanagar,
Surathkal – 575025.

11. CMP/UR/210731/0008185

MR SRINATH PAI,

Punja Building, Ballalbagh, Mangalore – 575003.

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12. CMP/UR/210731/0008181

MR B YAJNESH ACHARYA,

Hallmark Apartments, D. No 702, Kodialguttu (W),
M.G.Cross Road, Kodialbail, Mangalore -575003.

13. CMP/UR/210731/0008180

JEAN RASHMI PINTO

R/O Joshua, Door No.1-42/2,
Opp Vailankani Church,
Navoor Post, Bantwal - 574211.

14. CMP/UR/210731/0008186

HONDEHITAL ZAINUL ABIDIN

BAITH-UL-ZAYEEM, Ganganad Road,
Bada, Post Byndoor, Udupi - 576214.

15. CMP/UR/210731/0008183

Mr SANDEEP BHANDARY

R/O 9/18, 'Sanjeevini', Sesa Farm, Narla Padavu,
Ganjimata Post, Mangaluru - 574144.

VERSUS

RESPONDENTS

1. M/s. MANASA DEVELOPERS

2. Mr B M MAHENDRA RAO,

Mr B M MAHESH RAO,

Mrs B MITRA M RAO,

Mrs MAYA NIKHIL KAMATH,

Mrs MAMATHA RAO,

First Floor, Manasa Towers, M.G. Road,
Kodialbail, Mangaluru - 575003

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Karnataka Real Estate Regulatory Authority,

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

3. M/s MOHTISHAM COMPLEXES PVT LTD

6th & 7th Floor, Empire Mall,
M.G Road, Mangalore – 575003.

The above said complaints have been filed against the project Canopy, promoted by M/s. Mohtisham Complexes Private Limited which has been registered vide certificate dated 26/10/2017, in certificate bearing No. PRM/KA/RERA/1257/334/PR/171026/000299.

The common grievances of the complainants are that they have booked apartments in the above said project. As per Sale Agreement the project is completed in all respect and occupation certificate, door numbers and permanent power supply have been obtained for the project. The promoter has given physical possession of the apartment and the allottees are paying maintenance charges for the same from July 2020 onwards. However, the sale deed has not been executed and registered by the promoter and landowners. When enquired, the promoter is stating that the landowners are not co-operating to execute and register the sale deeds in the respective name of purchasers of apartments. Complainants are put into lot of difficulty due to the non - execution and registration of sale deeds. The banks from which they have availed home loan is also insisting on submitting the registered sale deed immediately, failing which they have informed that penal interest would be levied on the allottees for the loan availed.

Notices were sent to both the parties, to attend hearing on 19/11/2021 and 11/01/2022. On 11/01/2022 both the complainants and the respondents have present on SKYPE and the complainants submitted that they are satisfied on the progress. Authority directed the respondent to file affidavit about the progress made.

[Signature]

[Signature]

[Signature]

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On 11/01/2022, the promoter has submitted affidavits along with withdrawal memo from the purchasers.

Hence the respondent herein most respectfully prays this Hon'ble Authority be pleased to dismiss the above complaints in the interest of justice and equity.

The affidavits and the withdrawal memo are filed by the complainants and the respondents are hereby accepted. Hence the following order is passed.

ORDER

In view of the withdrawal memo filed by the complainants and respondents, the complaints are hereby dismissed.


(Neelamani N Raju)
Member-2
K-RERA


(D. Vishnuvardhana Reddy)
Member-1
K-RERA


(H.C. Kishore Chandra)
Chairman
K-RERA

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