

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 MARCH, 2022

COMPLAINT NO.CMP/210212/0007622

**MR. N. VEERANNA
NO.130, 4TH CROSS,
SUNDAR NAGAR, GOKULA,
BANGALORE-560054.**

... COMPLAINANT

VERSUS

**M/S. RED CORAL PROPERTIES
NO.133/1, 2ND FLOOR,
RESIDENCY ROAD,
BANGALORE-560025.**

... RESPONDENT

The above said complaint has been filed by the complainant Mr.N.Veeranna against the promoter M/s Red Coral Properties, in respect of Mahaveer Cygnet Project.

The facts of the complaint are as follows:

"1. The developer has illegally constructed STP tank deviating from the approved site plan as it is not mentioned in it, he has also not provided setback for it and additionally encroached the adjacent property Sy.No.112/1 for compound wall construction. For the above mentioned activity of the builder the court has granted stay under O.S. No.1505/2018 in Civil Court, Principal Civil Judge, Bengaluru Rural.

Relief sought from RERA: Not to interfere in the complainant property Sy.No.112/1 and to remove the encroachments made in the said property."

Notice was sent to the Complainant and the Respondent to attend the hearing on 17/9/2021 over skype. Both the Complainant and Respondent did not appear for the hearing. Again notice was sent to both the parties to appear for hearing on 9/11/2021. Complainant remained absent. Ms. Sandhya Hegde,

HWS

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Advocate, appeared for the Respondent. Authority advised her to file authorization to appear on behalf of the Respondent. The respondent stated that the neighbor landowner (complainant) has filed the case claiming that the STP area belongs to him. The authority directed the respondent to get the land survey done and file the report within 15 days. The case was posted for further hearing on 24/2/2022. The complainant appeared for the hearing whereas the respondent remained absent.

During the course of hearing the authority also took cognizance of the case regarding encroachment pending before the Civil Court. The respondent stated that as the complainant is neither an allottee nor an aggrieved person, the case is not maintainable.

In view of the above, the following order is passed.

ORDER

In the complaint bearing No. CMP/210810/0008231 against the Promoter M/s Red Coral Properties, the complainant is the landowner of the neighbouring plot of land and not an allottee. Moreover, a case regarding encroachment of land is pending before the Hon'ble Civil Court. Therefore, no further hearing is necessary and accordingly the complaint is hereby disposed of and treated as dismissed.


(Neelmani Raju)
Member
K-RERA


(D. Vishnuvardhana Reddy)
Member
K-RERA


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