

PROCEEDINGS OF THE AUTHORITY

Dated 16th May 2022

COMPLAINT No. CMP/201112/0007051

VIPUL JADHAV,
Tulshi Vihar CHS,
Flat No. 101, Sector 19,
Maharashtra - 410210.

.....Complainant

V/S

**EXPAT PROJECTS &
DEVELOPMENT PVT. LTD.,**
2nd Floor, Sobha Pearl,
No.1, Commissariat Road,
Bengaluru – 560025.

.....Respondent

The complainant has filed this complaint against the respondents for the relief of cancellation of GST charges.

Brief facts of the complaint are as under:-

That the complainant had filed complaint against Expat Project and Development Pvt. Ltd., for non execution of AOS in Complaint No. CMP/180902/0001210 before this Authority. The Authority also had passed order dated 21/05/2019 directing the respondent / promoter to execute and register AOS within a period of 30 days.

The complainant has now in the above complaint bearing No. CMP/201112/0007051 has while confirming that the AOS was executed, has sought one order from the Authority to cancel the GST demanded by the Respondent.

It is the complainant's case that whereas he had booked apartment in 2016 and allotment was made in 2017 and AOS was to be executed within 2

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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

months from that date. Complainant alleged that there is a delay in execution of AOS, which is not attributable to him and on account of the said delay the respondent should be directed to withdraw the GST demanded from the complainant.

Several notices was been issued to the complainant to appear i.e., 15/12/2021, 23/02/2022 and 24/03/2022 during which the complainant was absent. Only during one hearing was the complainant present. Subsequent to which, he again absent twice.

On perusal of the records, it is clear that though the complainant was not willing to pay GST as demanded by the respondent, during the course of proceedings before this Authority, as a part of conciliation he has agreed to pay the balance amount with GST. Respondent has also agreed to execute the sale deed on payment. Thereafter, complainant remained absent continuously. Any issue with regarding to GST can be litigated with the appropriate Authority. Hence, we proceed to pass the following order.

ORDER

In exercise of the powers conferred under Section 31 of the Real Estate (Regulation and Development) Act, 2016, the complaint bearing No. CMP/201112/0007051 is hereby dismissed as the complainant remained absent and on account of non-prosecution of the complaint. The complainant is free to approach the GST Authority for any remedy.

(Neelamani N Raju)

Member-2
K-RERA

(D. Vishnuvardhana Reddy)

Member-1
K-RERA

(H.C. Kishore Chandra)

Chairman
K-RERA