

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

CMP. NO. 3152, 3336 AND 3548

**PROCEEDINGS OF THE AUTHORITY BEFORE BENCH 4**

**Dated 21<sup>st</sup> MAY 2022**

**COMPLAINANTS.....**

**1. CMP/UR/190619/0003152**

**MADAN MOHAN,**

Flat No.2, Saraswathi Residency,  
1st Main Road, 5th Cross, SBM Road,  
Balalji Nagar, Uttrahalli,  
Bengaluru – 560061.

**2. CMP/UR/190711/0003336**

**GEETHA VENUGOPAL,**

112/26, 16<sup>th</sup> Main Road,  
Industries and Commerce Layout,  
Vijayanagar,  
Bengaluru – 560040.

**3. CMP/UR/190715/0003548**

**B V SANTOSH,**

No.45, 2<sup>nd</sup> Cross, Sriram Puram,  
Bengaluru – 560021.

**(In person)**

**V/S**

**RESPONDENT.....**

**ROOPA INFRA PROJECTS (INDIA)**

**PVT. LTD.,**

No.1129, 30<sup>th</sup> Main,  
Poornapragana Nagara,  
Subramanyapura Post,  
Bengaluru – 560061.

**(In person)**

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**Karnataka Real Estate Regulatory Authority,**

# 1/14, 2nd Floor, Silver Jubilee Block, Unity Building Backside, CSI Compound,  
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These complaints are filed under section 31 of the RERA Act against the project 'Green Mile' for the relief of interest on refund.

All these matters are taken up together for disposal as they are arising from common project and in order to avoid repetition.

**The brief facts of the complaints are as under:-**

All the complainants have booked the sites in the project of respondent and have paid the advance amount to the respondent. But since long time there was no progress or development in the layout. Hence, they approached the respondent and cancelled the booking and got their advance amount back, but it was without interest. Hence, now they have approached this Authority for the interest on refund.

In pursuance of the notice, the respondent has not appeared before the Authority and not contested the matters.

On the above averments, the following points would arise for my consideration:-

1. Whether the complainants are entitled for the relief claimed?
2. What order?

My answer to the above points are as under:-

1. In the Negative.
2. As per final order for the following

**REASONS**

My answer to point No. 1:- The complainants have sought for interest on refund which they have already received. After filing the complaints, the complainants never turned back to proceed with the matter by appearing before the Authority. Even they have not produced any records in support of their claim. It is evident from the complaint in

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Cmp. No. 3548 that he has booked the site in the project of respondent by giving advance of Rs.1,50,000/- on 25/10/2013 and decided to cancel the site in the month of April 2017. Complainants have not produced any records as to when they have received the refund amount and duration of completion of project.

However, there are no materials on record to see whether this project is coming under RERA. Accordingly, this point is answered in the Negative.

**I answer to the point No. 2:-** In view of the above discussion, complaint deserves to be dismissed. Hence, the following order is passed.

**ORDER**

In exercise of the powers conferred under Section 31 of the Real Estate (Regulation and Development) Act, 2016, the complaints bearing No. CMP/UR/190619/0003152, CMP/UR/190711/0003336 and CMP/UR/190715/0003548 are hereby dismissed as not maintainable.

No order as to costs.

  
(H.C. Kishore Chandra)

Chairman  
K-RERA

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