

ORDER SHEET PART - 1

Project / Complaint No. (K-RERA) Cmp: 7117 /2022

Project / Complainant / Applicant

Respondent

Advocate

Advocate

Shibu Nair.
v/s.

M/s. Definer Ventures

Date: 10/06/2022

Para No	Office Notes	Orders of Court
		<p>Hon'ble Chairman)</p> <p>The complainant Shibu Nair has filed this complaint u/s. 31 of the Act against the respondent in respect of Definer Hilife project for the relief of interest on delay. The grounds urged in the complaint are that the builder has not paid any maintenance and put another gate to the community which was not there in the plan. There is a delay in handing over the possession.</p> <p>In response to the notice, the respondent has appeared before the Authority through its counsel on 11/04/2022, 21/04/2022, 06/05/2022 and 10/06/2022 and filed statement of objections denying all the allegations made against it by the complainant as false. It contends that the complainant has not paid the amount on time and delayed it, therefore as per sale agreement if customer delays payment he will not get compensation. The amenities such as gym were ready by May 2019 and kids play area was ready by February 2019 and tennis court was completed long back. Non completion of club shall not be deemed as delay in handing over possession of the apartment. As per force majeure clause respondent is entitled for extension. Hence, there is no delay in handing over apartment to the complainant.</p> <p>During the proceedings, both parties have filed a joint memo on 10/06/2022 stating that complaint may be disposed of as withdrawn since the complainant is not interested to proceed further in view of all the issues being resolved by the respondent. The complainant has also intimated his intention to withdraw the complaint by way</p>

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IN THE KARNATAKA REAL ESTATE REGULATORY AUTHORITY

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		<p>of E-mail dated 19/05/2022 addressed to the respondent. Perused the same. Same is accepted as the matter has been settled between the parties voluntarily. Hence, the complaint is hereby dismissed as settled between the parties.</p> <p> (H.C. Kishore Chandra) Chairman K-RERA</p>