

# IN THE KARNATAKA REAL ESTATE REGULATORY AUTHORITY

## ORDER SHEET PART - 1

09

Project / Complaint No. (K-RERA) Cmp:- 6270 /2022

Project / Complainant / Applicant

Respondent

Hardik Kumar Babulal Panchal.

Advocate

M/s. Definer Ventures.

Advocate

Date: 10/06/2022.

Para No	Office Notes	Orders of Court
		<p><b>Hon'ble Chairman)</b></p> <p>The complainant Hardikkumar Babulal Panchal has filed this complaint u/s. 31 of the Act against the respondent in respect of Definer Hilife project for the relief of refund from the builder for maintenance he charged. The grounds urged are that complainant has booked a flat in the project of respondent and builder has not completed the project and half of the amenities are pending. Builder is not ready to complete the same and has provided the Ex</p> <p>land owners an illegal access from this apartment who are creating nuisance in the building. The builder has charged one year of maintenance charges, but he is not ready to maintain apartment for one year and has applied BESCOM connection in his name and asking for maintenance amount.</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 never used to do payments on time. As per construction agreement if the customer delays payment he will not have any right to claim compensation. The amenities such as gym was ready by May 2019, kids play area was ready by February 2019 except for the tennis court which was completed long back. The respondent has collected maintenance fee from the complainant was only for five months and such fee for one month is still pending.</p>

16/06

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10

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v/s.

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		<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the proceedings, both parties have filed a joint memo on 10/06/2022 stating that complaint may be disposed of as withdrawn since the complainant is not interested to proceed further in view of all the issues being resolved by the respondent and also BESCOM NOC is provided in the name of complainant. 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 style="text-align: right;">   <b>(H.C. Kishore Chandra)</b>  Chairman  K-RERA </p>

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