

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

Karnataka Real Estate Regulatory Authority,

# 1/14, 2nd Floor, Silver Jubilee Block, Unity Building Backside, CSI Compound,

**PROCEEDINGS OF THE AUTHORITY**

**Dated: 14<sup>th</sup> June, 2022.**

Complaint No. & Name of the Complainant	CMP/210906/0008303 SANTOSH GHARGI
Name of the Project & Regn.No.	ROYAL COMFORT APARTMENTS PRM/KA/RERA/1259/479/PR/190517/002558
Name of the Promoter	R M BUILDERS Shop No.203, First Floor, Kundagol Complex, Court Circle, Hubli, Dharwad, Karnataka - 580 029.

Complainant has filed a complaint dated: 06-09-2021, wherein it is stated that the apartment being constructed is very close to the existing houses, with only 5 to 6 ft. distance between the apartment wall and the common compound and only 2 ft. distance between the balcony and the common compound. The violation of setback space is impacting the neighbors and causing noise, air pollution and fire hazard. It is also submitted that the Hubli Dharwad Municipal Corporation has issued a notice to the builder for violation of setback space, a copy which is submitted. The complainant has sought an order from the Authority, granting relief in the nature of rectification of setback violation and to prevent noise, air pollution and fire hazards caused by the violation of the setback space.

*[Signature]*

*[Signature]*

*[Signature]*

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The Authority has examined the facts of the case and the nature of violation stated to have been committed by the promoter of the project. As submitted by the Complainant, the setback violation is taken note of by the Hubli Dharwad Municipal Corporation and a notice has been issued to the Promoter of the project. The Plan Approving Authority is the Competent Authority to regulate and ensure that the building plan is adhered to in all respects, including the bye-laws pertaining to setback. The Competent Authority viz., Hubli Dharwad Municipal Corporation is required to deal with the violation alleged to have been committed by the Promoter of the project. In view of this, the following order is passed:

**ORDER**

Complaint filed by the complainant u/s 31 of the Act is dismissed as not maintainable.

(Neelamani N. Raju)  
Member-2

(D. Vishnuvardhana Reddy)  
Member-1

(H.C. Kishore Chandra)  
Chairman