

**KARNATAKA REAL ESTATE REGULATORY AUTHORITY,
BENGALURU**

FIFTH ADDITIONAL BENCH

CORUM

HON'BLE MEMBER SHRI.D.VISHNUVARDHANA REDDY

COMPLAINT NO.CMP/200228/0005585

DATED THIS 27TH DAY OF JULY, 2022

COMPLAINANT : Mr.Vinesh G.Nair
B-11, M.D.Mehta Chs, Star Colony
Manpada Road, Dombivilli (E)
Maharashtra : 421 204

RESPONDENT / : M/s.Sanchaya Land and Estate Pvt
PROMOTER Ltd.
No.479, HMT Layout, R.T.Nagar
Near R.T.Nagar Bus Stop
Bangalore : 560 032

PROJECT NAME & : THE GREENS PHASE-I
REGISTRATION NO. PRM/KA/RERA/1251/308/PR/
171015/000701

This complaint is filed under Sec-31 of the Real Estate (Regulation and Development) Act, 2016 before this Authority praying for a direction to complete the project and handover the apartment bearing No.102, Tower Amber-B in the Greens Phase-I as promised under various advertisements and Sale Brochures.

JUDGMENT / ORDER

1. FACTS OF THE CASE: The Complainant vide complaint No. CMP/200228/0005585 filed under section 31 of the Act has sought the following reliefs:

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- i) Direct the Respondent/s to complete the project and handover the apartment bearing No.102, Tower Amber-B in the Greens Phase-I as promised under various advertisements and Sale Brochures.
- ii) To obtain all approvals such as Occupancy Certificate, Fire Department Clearance, E-Katha Certificate etc at the earliest.
- iii) Direct the respondent/s to pay delay period interest on the entire money paid by the Complainant from the promised date of delivery until handing over possession along with Occupancy Certificate;
- iv) Direct the respondent/s to refund all pending pre EMI installments along with interest from the respective dates of non reimbursement until handing over possession along with occupancy certificate;
- v) Direct the respondent/s to continue to pay pre-EMI installment until completion of the project.
- vi) Compensation for mental agony and pay the damages to an extent of Rs.5,00,000/-.
- vii) Compensation for unfair trade practice to an extent of Rs.5,00,000/-.
- viii) Cost of litigation and expenses to an extent of Rs.50,000/-.

2. The Advocate for complainant has filed a Memo dated 29.06.2022 before the Authority for withdrawal of the complaint. In the said memo it is stated that the complainant



may be permitted to withdraw the aforesaid complaint in order to file a complaint before Consumer Commission so as to seek the refund of the money and other applicable reliefs. Hence, the Authority passes the following order.

ORDER

The memo submitted by the Advocate for Complainant for withdrawal of the complaint is taken on record and complaint is treated as dismissed.


(D.VISHNUVARDHANA REDDY)
MEMBER-1
FIFTH ADDITIONAL BENCH
K-RERA

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