# ಕರ್ನಾಟಕ ರಿಯಲ್ಎಸ್ಟೇಟ್ 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

## PROCEEDINGS OF THE AUTHORITY BEFORE BENCH-4

## **Dated 23rd September 2022**

### **Present**

## SHRI. H.C. KISHORE CHANDRA, CHAIRMAN

COMPLAINT No: CMP/UR / 180304/0000546

COMPLAINANT....

**Anish M Thomas** 

Mamttathil House Kadalmad Post Perumbadikunnu Kerala-673581

(In person)

V/S

RESPONDENT....

Richmond Builders Private Limited

# 2226/A, 23<sup>rd</sup> Cross, 4<sup>th</sup> Main KR Road, PNS Complex 2<sup>nd</sup> Floor, BSK 2<sup>nd</sup> Stage Bengaluru-560 070.

(Rep. by Sri. J. Madhusudhana Managing Director )

#### INTERIM ORDER

1. Mr. Anish M. Thomas had filed a complaint against the respondent promoter of **Richmond Builders Private Limited**. The promoter has developed a

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project called "Richmond Pride Phase-II" in the limits of Sy.no. 81, Kyalasanahalli village, Jigani Hobli, Anekal Taluk, Bangalore District. This project is not a registered project.

- 2. The gist of the complaint is that the complainant herein booked a flat no.A-305 in the second floor in project of the promoter known as "Richmond Pride Phase-II) situated in Sy.no.81, Kyalasanahalli village, Jigani Hobli, Anekal Taluk, Bengauru-560 105 on 06.05.2013 and on the same date he has paid an amount of Rs.21,75,000/- out of sale consideration of Rs.29,00,000/- to the promoter. The promoter/respondent has executed agreement of sale in favour of the complainant on 10.02.2015. The complainant claim that the respondent obligated to hand over the possession of the flat on March 2015 but the promoter/respondent failed to keep up the promise to hand over the flat to the complainant within the stipulated timeline. Having lost confidence with the promoter, the complainant vide letter dated 08.08.2017 has requested the promoter to cancel the flat booked by him and sought for refund. Hence the complaint.
- 3. After registration of the complaint, in pursuance of notices dated 10/06/2022, 28/06/2022, 29/07/2022 and on 19/09/2022 served upon the complainant and the respondent to appear before the Authority, the respondent remained absent on all these days. The complainant by remaining absent on preceding dates, has however, appeared before the Authority on 29.07.2022 and prayed for refund of amount paid to the respondent.



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**4.** This project has not been registered under RERA. At this stage, it is just a necessary to pass an interim order directing the promoter to get registered the project immediately. In due course, action will be initiated against the promoter as required under Section 59 of the Act for violation of Section-4 of the Real Estate (Regulation and Development) Act, 2016. Hence, I am of the opinion that it is necessary to pass an interim order directing the respondent/promoter to register the project immediately under RERA.

### INTERIM ORDER

The respondent/promoter, Richmond Builders Private Limited is hereby directed to register the project immediately under section 3 of the Real Estate (Regulation and Development) Act, 2016 within two weeks from the date of this order.

(H.C. Kishore Chandra)

Chairman K-RERA