

**KARNATAKA REAL ESTATE REGULATORY AUTHORITY,  
BENGALURU**

**FIFTH ADDITIONAL BENCH**

**CORUM**

**SHRI.D.VISHNUVARDHANA REDDY  
HON'BLE MEMBER-1**

**COMPLAINT NO.CMP/210927/0008390**

**DATED THIS 15<sup>TH</sup> DAY OF OCTOBER, 2022**

COMPLAINANT : Mr.G.Y.Jayapal Reddy  
A 304, Obel Banjara Apartment  
Banjara Layout, Horamavu  
Bangalore : 560 043

RESPONDENT / : M/s.Adhishree Ventures India Pvt Ltd.  
# 1, Adhishree Enclave, Next to  
Canara Bank, Thindlu, Vidyaranyapura  
Main Road, Bengaluru

PROJECT NAME & : ADHISHREE SUNSHINE  
REGISTRATION NO. PRM/KA/RERA/1251/309/PR/  
180627/001939

This complaint is filed under Sec-31 of the Real Estate (Regulation and Development) Act, 2016 before this Authority praying for a direction to refund the Advance amount.

**JUDGMENT / ORDER**

**1. FACTS OF THE CASE:** The Complainant vide complaint No. CMP/191203/0004863 filed under section 31 of the Act has sought the following reliefs:

- i) Direct the Respondent to refund the Amount paid on the date of sale agreement.

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2. The Respondent has filed statement of objections on 28.07.2022 enclosing the order dated 13.6.2022 passed by the District Consumer Disputes Redressal Commission, stating that the complainant has approached the District Consumer disputes Redressal Commission, Bengaluru by filing Consumer Case No.423 of 2021. In the said consumer case, the IV Additional District Consumer Redressal Commission, Bengaluru allowed the Consumer Case filed by the complainant herein. In view of the same the Respondent prays that the above complaint be dismissed as the same is barred under principle of res-judicata. Hence, the Authority pass the following

**ORDER**

Since the complainant has already availed off the reliefs before the District Consumer Disputes Redressal Commission on the same cause of action and hence the complaint before this Authority is not maintainable. The complaint is dismissed as not maintainable.

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

