

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ 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**

**Dated 13<sup>th</sup> OCTOBER 2022**

**COMPLAINT NO.: CMP/210824/0008264**

**PRESENT:**

**SRI. H.C. KISHORE CHANDRA, HON'BLE CHAIRMAN**

**COMPLAINANTS.....**

**RAMESHKUMAR N,**  
#106, Green Earth Atrium,  
Atrium Road, Nagondanahalli,  
Whitefield,  
Bengaluru – 560066.

(In person)

**V/S**

**RESPONDENT.....**

**GREEN EARTH VENTURES,**  
1019, Geethanjali Layout,  
New Thippasandra, HAL 3<sup>rd</sup> Stage,  
Bengaluru – 560075.

(Exparte)

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1. This complaint is filed under section 31 of the RERA Act against the project "Green Earth Atrium" developed by "Green Earth Ventures" registered as PRM/KA/RERA/1251/446/PR/180131/001516 for the relief of direction to the builder to return back the money collected by him for BWSSB connection or to pay the amount to BWSSB.



# ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

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## **Brief facts of the complaint are as under:-**

2. The complainant has purchased a flat bearing No.106 in the project Green Earth Atrium of respondent under sale deed dated 10/03/2019 and possession of the same was handed over accordingly. The respondent had collected Rs.75,000/- for BWSSB, but they didn't pay the said amount to BWSSB and even didn't repay the same to the complainant. In fact, he has collected the amount from the all the residents of the said project. Hence, this complaint.
3. After registering the complaint, in pursuance of the notice, the respondent has not appeared before the Authority and not contested the matter by filing statement of objections, producing documents etc.,
4. In support of his claim, the complainant has produced only one document such as copy of sale deed.
5. Hearings were conducted on 12/08/2022, 29/08/2022, 12/09/2022, 19/09/2022 and finally on 30/09/2022.
6. Heard arguments of complainant.
7. **On the above averments, the following points would arise for my consideration:-**
  1. Whether the complaint is entitled for the relief claimed?
  2. What order?
8. **My answer to the above points is as under:-**
  1. In the Affirmative.
  2. As per final order for the following

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**REASONS**

9. **My answer to point No. 1:-** From the materials available on record, it is apparent that the complainant has purchased a flat No. 106 under sale deed dated 10/03/2019 in the project of the respondent and he is in possession of the same.
10. Grievance of the complainant is that the respondent has collected Rs.75,000/- for BWWSB from him and all other residents of the said apartment. But, he didn't pay the said amount to BWSSB and even not repaid the said amount to them. In spite of service of summons and notice, the respondent has remained absent and not participated in the proceedings. In the absence of any resistance from the respondent side no option is left to this Authority except to accept the claim of complainant which is corroborated with the documentary evidence such as sale deed.
11. These being the facts, no scope is remained for further discussion and consideration. Considering all these aspects the point raised above is answered in the Affirmative.
12. **My answer to point No. 2:-** In view of the above discussion, we proceed to pass the following order.

**ORDER**

In exercise of the powers conferred under Section 31 of the Real Estate (Regulation and Development) Act, 2016, the complaint bearing No. CMP/210824/0008264 is hereby allowed.



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The builder is directed to deposit the amount collected by the residents of project Green Earth Atrium with BWSSB and to ensure water facility as agreed within 60 days from the date of this order.

No order as to costs.



**(H.C. Kishore Chandra)**

Chairman

K-RERA