

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 9th November 2022

COMPLAINANT NOS. CMP/200828/0006462

COMPLAINANT.....

Amulya Gogula

Flat No: 404

GR Luxuria Apartment

16th Cross, 2nd "A" Main

HSR Layout

Bengaluru-560102.

(In person)

V/s

RESPONDENT.....

1. M/s GR Promoters

No: 24, GR Pristine

4th Floor, 80 Feet Road

Banashankari 3rd Stage

Katriguppe

Bengaluru-560 032.

2. S. Radhakrishna &

Darshan B.R.

(JD Partners)

No: 30, 7th "C" Cross

16th Main Road

4th "B" Cross

Koramangala

Bengaluru-560 034

**(represented by Mr. Yoga-
Murthy, Authorized
Signatory of R-1)**

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JUDGEMENT

1. This complaint is filed under section-31 of the Real Estate (Regulation and Development) Act, 2016 before this Authority against the project “GR Luxuria” developed by respondent-1 “GR Promoters” in the limits of Sy.No: 44/5A & 44/6, Bommanahalli Village, Begur Hobli, Bengaluru and respondent-2 & 3 who are the landowners for relief of providing car parking as per BBMP approved plan.

2. This project has been registered under RERA bearing registration no. PRM/KA/RERA/1251/310/PR/180507/001658.

3. The brief facts of the case are as under: The complainant is the resident of apartment no. 404 in the residential project “GR Luxuria” of the respondent. The complainant contends that as per Khatha, the approved car parking was 180 Sq.ft. whereas in reality the promoter has allotted only 110 sq.ft from the share of land owners. This allotment was a fraction of the space between and 10th and 11th parking which includes a pillar obstruction as well and that it is very difficult to park even a small car. Further, approved car parking plan was not followed and that the 100 sq.ft allotted is part of the 10th parking space. The complainant prays relief for a direction to the promoter to allot 180 sq.ft. car parking as per BBMP approved plan.

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4. After registration of the complaint, in pursuance of notice served, one Mr. Harikrishna, respondent/builder was appeared before the Authority during the proceeding held on 08/02/2022 but left skype in between and has not contested the matter by filing objections or by producing documents on its behalf. Earlier, one Mr. Kashinath, representing on behalf of the respondent has also appeared before the Authority during the proceedings held on 24/11/2021.

5. This matter was heard on 23/10/2020, 10/08/2021, 02/09/2021, 29/09/2021, 24/11/2021, 08/02/2022, 09/03/2022 and on 22/06/2022.

6. The grievance of the complaint is that she has not been provided with car parking space as per BBMP approved plan. On the other hand, the the land owner has appeared before the Authority and has filed objections contending that though the car parking is provided proportionately the complaint is raising this issue.

7. During the proceedings held on 24/11/2021, as per the directions of the Authority, engineering team of RERA have visited the spot and after due inspection submitted the report dated 15/12/2021 stating that the car parking slot allotted to the complainant was measured in the presence of the complainant and found that 2.40 Mts. X 5.50 Mts. was available for parking.

16/8

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8. As per sanctioned plan of BBMP dated 28.04.2017, the total number of car parking space for the proposed 39 apartment was shown as 536.25 Sqm. As per this, car parking area for per apartment works out to be $536.25/39 = 13.75$ Sqm. The size may be converted to length x breadth (L X B) i.e. $13.75 = 2.50 \times 5.50$ sqm.

As per Section 16(a) of BBMP Building Bye-laws, 2003, car parking space was enumerated as follows:

“16(a) Each off street car parking space provided for motor vehicles shall not be less than 18 Sqmtrs.(3 meters x 6 meters)”

9. Under such circumstances, considering the facts of this case, it is just and necessary to give directions to the respondent-promoter to provide the car parking space to the complainant as per BBMP Building Bye-laws, 2003. Accordingly, the authority 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/200828/0006462** is hereby allowed and the following order is passed.

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1. The respondent is hereby directed to provide car parking space to the complainant as per BBMP Building bye-laws, 2003.

No order as to costs.


(D. Vishnuvardhana Reddy)
Member-1
K-RERA


(Neelmani N Raju)
Member-2
K-RERA


(H.C. Kishore Chandra)
Chairman
K-RERA

RECEIVED BY THE SECRETARY OF THE ARMY

WASHINGTON, D. C. 20315

DATE: 10/10/54

TO: THE SECRETARY OF THE ARMY

FROM: THE SECRETARY OF THE ARMY

SUBJECT: [illegible]

REFERENCE: [illegible]

1. [illegible]

2. [illegible]

3. [illegible]

4. [illegible]

5. [illegible]

6. [illegible]

7. [illegible]

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9. [illegible]

10. [illegible]

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W. F. [illegible]

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