

KARNATAKA REAL ESTATE REGULATORY AUTHORITY, BENGALURU

FIFTH ADDITIONAL BENCH

CORUM

**SHRI.G.R. REDDY
HON'BLE MEMBER**

COMPLAINT NO.CMP/220412/0009352

DATED THIS 20TH DAY OF DECEMBER, 2022

COMPLAINANT : Mr.Shaik Abdul Aheem
Trinity Complex, Bavisha Gardenia
Bengaluru Rural : 562 125

RESPONDENT / : M/s.Bhavisha Properties
PROMOTER Trinity Complex, Besides ARS Green
Shine Apartment, Bengaluru Rural
Pin : 562125

PROJECT NAME & : BAVISHA GARDENIAA
REGISTRATION NO. PRM/KA/RERA/1251/308/PR/200817/003549

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 with interest.

J U D G M E N T / O R D E R

1. FACTS OF THE CASE: The Complainant vide complaint NO.CMP/UR/220303/0009064 filed under section 31 of the Act has sought to implement the Rules mentioned in the email. The said email is not furnished by the complainant. Notice was issued to both the parties. The complainant was given an opportunity to substantiate the relief sought before the Authority and how the complaint is maintainable. The Respondent is also allowed to file statement of objections, if any.



2. Complainant has not furnished any documents in support of his complaint as to maintainability of the complaint and failed to appear before the Authority on subsequent hearings. The respondent reiterated the submissions that there is no basis for filing the complaint and the complainant has been residing in the apartment for the last one year. The only reason stated by the complainant is that there is a disturbance caused by the neighbours which is not a subject matter that can be adjudicated upon by the Authority. Hence the following

ORDER

The submissions made by the Respondent is taken on record by the Authority and the complaint is dismissed as not maintainable.

(V.R. REDDY)

MEMBER

FIFTH ADDITIONAL BENCH

K-RERA