

12.03.2022

Before the Lok-Adalat

The above case is taken up before the Lok-Adalat. The joint memo filed by both the parties is hereby accepted. Hence, the matter is settled before the Lok-Adalat as per joint memo.

The complaint stands disposed off accordingly.


Judicial Conciliator.


Advocate Conciliator.



ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತ ಸಂಖ್ಯೆ Cmp. No : 522

ಪುಟ ಸಂಖ್ಯೆ

ವಿಷಯ Konduru Vijaya Raju

Nitesh Napa Valley

ಕಂಡಿಕೆ
ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

ದಿನಾಂಕ: 03/03/2022

ಈ ಪ್ರಕರಣವನ್ನು ನ್ಯಾಯ ನೋಂದಾಯಣಾಲಯ ದಿನಾಂಕ: 12/03/2022 ರಂದು ನಡೆಯಲಾದ ಭೃಷತ್ ಲೀಡ್ ಅಡಾಲತ್‌ಗಾಗಿ ರೆಫರ್ ಮಾಡಿರುತ್ತಾರೆ. ಘರ್ಷಣೆಯಾದರೂ ಕೊಂಡು ಬರುವ ವಿಷಯ ರಾಜು ಇವರು video ಮೂಲಕ ಹಾಜರಾಗಿರುತ್ತಾರೆ.

ಹೆವಲಿಟರ್ ಪರ Authorised Signatory ಇವರು ಹಾಜರಿರುತ್ತಾರೆ. ಶ್ರೀ. ದೀಪಕ್ ರಾಜ್‌ಕುಮಾರ್ ಇವರು video ಮೂಲಕ ತ್ರಿನಿಡ್ಡಿನಿಂದ ತಮ್ಮ ನಡುವಿನ ವಿವಾದವು ಬಗೆಯದ್ದು, ಅ ಬಗ್ಗೆ ದಿನಾಂಕ: 11-01-2019 ರಂದು Memo ಕೈಸುರುವುದಾಗಿ ಹೇಳಿರುತ್ತಾರೆ. ಅದರ ಆಧಾರದ ಮೇಲೆ ಪ್ರಕರಣವನ್ನು ಮುಕ್ತಾಯಗೊಳಿಸಬಹುದಾಗಿ ಎಂದು ಶ್ರೀ. ಹೇರರ್ ಕುಮಾರ್ ಇವರು ಹೇಳಿದ್ದಾರೆ.

ಶ್ರೀ. ದೀಪಕ್ ರಾಜ್‌ಕುಮಾರ್ ಇವರು video ಮೂಲಕ ಹಾಜರಾಗಿದ್ದು ದಿನಾಂಕ: 11-01-2019 ರಂದು ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಕೈಸುರಿಸಿದ ಪ್ರಕೃತ ಪಾಠ್ಯವನ್ನು ಪುನಃ ಕೈಸುರಿಸಿರುತ್ತಾರೆ.

ಇವರ ರಾಜಕ ಸ್ವಾತಂತ್ರ್ಯ ಮತ್ತು ಸ್ವಾತಂತ್ರ್ಯವು ಖಚಿತವಾಗಿರುತ್ತದೆ ಎಂದು ಅವರನ್ನು ಕೇಳಿ ಪುನಃವರದಿ ಮಾಡಿಕೊಂಡಿರುತ್ತೇನೆ. ಪ್ರಕರಣವನ್ನು ಲಂಚವಾಗಿ ಮುಕ್ತಾಯಗೊಳಿಸಬಹುದು ಎಂದು ಹೇಳಿರುತ್ತಾರೆ. ಈ ಪ್ರಕರಣದ ವಿವಾದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟವರೇ ಬೇರೆ ಯಾವುದೇ ವಿವಾದವನ್ನು ಮಾಡುವುದಿಲ್ಲ. ಎಂದು ಹೇಳಿರುತ್ತಾರೆ.

ಒಟ್ಟಾರೆಯಾಗಿ ಪ್ರಕರಣವನ್ನು ರಾಜಿಯಾಗಿದೆ ಎಂದು ಪರಸ್ಪರ ಒಪ್ಪಿಕೊಂಡಿದ್ದಾರೆ ಎಂದು ಮುಕ್ತಾಯಗೊಳಿಸಲಾಗಿದೆ.

For NHDPL South Private Limited

Authorised Signatory

ನ್ಯಾಯಾಲಯ ಸಂಸ್ಥಾಪಕರರು

ನ್ಯಾಯಾಲಯ ಸಂಸ್ಥಾಪಕರರು

BEFORE ADJUDICATING OFFICER, RERA

BENGALURU, KARNATAKA

Complaint No. CMP/180227/0000522

Date: 21st January 2019

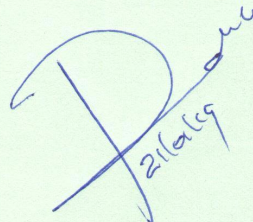
Complainant : KONDURU VIJAYA RAJU,
Ascent Capital Advisor India Pvt. Ltd.,
16th Fl, Concorde Block, UB city No. 24,
vital Mallya Road, Bengaluru- 560001

AND

Opponent : Nitesh Napa Valley,
Nitesh Housing Developers Pvt. Ltd.,
Level 7, Nitesh Timesquare, No. 8,
MG Road, Bengaluru Urban -560001

J U D G E M E N T

1. KEC Raja Kumar and Smt. K Vijay Raju under complaint no. CMP/180227/0000522 have filed this complaint under Section 31 of RERA Act against the project "Nitesh Napa Valley" developed by Nitesh Housing Developers Pvt Ltd., as the complainant is the consumer in the said project. Both the complainants have sought for the relief of *Reimbursement of Dues & Possession of the Villa*
2. Notice was issued to both the parties to appear on 23/11/2018. The first complainant was present. Mr. H.M.Y Advocate was present on behalf of the developer and sought time to file Vakalath and objection. On 19/12/2018, Smt. Vaishali, Advocate representing the



developer was present and submitted that they will speak about settling the matter.

3. Again the matter was called on 7/1/2019 and on that day, I have heard the arguments and reserved for judgment. However on 11/01/2019 the developer has filed a memo of settlement. In this regard the complainant and the advocate for respondent were present on 18/01/2019 and filed a memo of settlement. The Memo reads as follows:

"With respect to above mentioned complaints, we humbly submit that we have reached a settlement with the developers and have signed memorandum of settlement dated 11th January 2019 capturing the understanding between the customers and the developers. In view of this we have decided to pursue our complaints filed before RERA i.e., CMP/180227/0000519 and CMP/180227/0000522"

4. Before passing the final order I would say that as per S.71 (2) RERA, the complaint will have to be closed within 60 days from the date of filing. In this case the complaint was filed on 27/02/2018. As per SOP 60 days shall be computed from the date of appearance of the parties. In the present case, the parties have appeared on 23/11/2018. Hence the complaint is being disposed of within limitation.
5. As both the parties have settled the matter and the complainant has filed a memo. I proceed to pass the following order.

ORDER

The complaint no. CMP/180227/0000522
has been closed on account of the Memo of
Settlement filed by the complainant.

Intimate the parties regarding this order.

(Typed as per dictation, Verified, Corrected and pronounced
on 21/01/2019)

Adjudicating Officer