

BEFORE ADJUDICATING OFFICER, RERA

BENGALURU, KARNATAKA

Complaint No. CMP/180227/0000519

Date: 21st January 2019

Complainant : KEC Raja Kumar and K 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 Private Limited
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/180227/0000519 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

Devi
21/1/19

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.

Devi
21/01/19

ORDER

The complaint no. CMP/180227/0000519
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

NOT AN OFFICIAL COPY


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.: 519.

ಪುಟ ಸಂಖ್ಯೆ

ವಿಷಯ K Ee Rajkumar & K. Vijayaraja Raja

Nitesh Napa Valley.

ಕಂಡಿಕೆ
ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

03/03/2022

ಈ ಪ್ರಕಟವನ್ನು ನ್ಯಾಯಾಂಗಾಧಿಕಾರಿಯು ದಿನಾಂಕ: 12-03-2022 ರಂದು ನಡೆಯಲಿರುವ ಭೂತ ಲೇಖಪಾಲಕರಾಗಿ Refer ಮಾಡಿರುತ್ತಾರೆ.

ಏಯಾಸುಕಾರಣದ ಕ್ರೀ. ರಾಜಕುಮಾರ್ ಇವರು V.C ಮೂಲಕ ಹಾಜರಾಗಿರುತ್ತಾರೆ.

ಸೇವಾಸೂಚಕ ಪರ Authorised Signatory ಇವರು ಹಾಜರಾಗಿರುತ್ತಾರೆ. ಕ್ರೀ. ರಾಜಕುಮಾರ್ ಇವರು V.C ಮೂಲಕ ಲೈಸೆನ್ಸ್‌ನಲ್ಲಿರುತ್ತಾರೆ. ತಮ್ಮ ನಡುವಿನ ಲೇಖಪಾಲಕ ಬಗ್ಗೆಯಾಗಿ, ಈ ಬಗ್ಗೆ ದಿನಾಂಕ 11-1-2019 ರಂದು ಮೊದಲಿನಿಂದಲೂ ಜಾರಿಯಲ್ಲಿರುತ್ತದೆ. ಅದರ ಪ್ರಕಾರ ಮೇಲೆ ಪ್ರಕಟವನ್ನು ಮುಂದುವರಿಸುವುದು ಎಂದು ಕ್ರೀ. ರಾಜಕುಮಾರ್ ಇವರು ಘೋಷಿಸಿದ್ದಾರೆ.

ಕ್ರೀ. ರಾಜಕುಮಾರ್ ಇವರು V.C ಮೂಲಕ ಹಾಜರಾಗಿದ್ದು, ದಿನಾಂಕ: 11-1-2019 ರಂದು ಪ್ರಾಧಿಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿದ ಪತ್ರವು ಲೇಖಪಾಲಕರಾಗಿರುತ್ತದೆ.

ಇವರ ಕಡೆ ಸೇರಿರುವ ಖಾಸ್ಸು ಖಾತೆಯಿಂದ ದಿನಾಂಕ: 12-03-2022 ರಂದು ಲೇಖಪಾಲಕ ಕೇಳಿ ಮನವರಿಕೆ ಮಾಡಿಕೊಂಡಿರುತ್ತದೆ. ಪ್ರಕಟವನ್ನು ಅಂತಿಮಗೊಳಿಸಿ ಮುಂದುವರಿಸುವುದು ಎಂದು ಹೇಳಿರುತ್ತಾರೆ. ಈ ಪ್ರಕಟವನ್ನು ವಿವರಿಸಿ ಸುಬಂಧಪಟ್ಟಂತೆ ಬಳಿ ದಾಖಲೆ ವಿವರಿಸುವುದು ಎಂದು ಹೇಳಿರುತ್ತಾರೆ.

ಕ್ಷೀಣ ಪ್ರಕಟವನ್ನು ರದ್ದುಗೊಳಿಸಿ ಎಂದು ಪ್ರಕಟವನ್ನು ರದ್ದುಗೊಳಿಸಿದರೆ ಎಂದು ಮುಂದುವರಿಸುವುದು.

for NHDP South Private Limited

Authorized Signatory
2/3/2022

ನ್ಯಾಯಾಂಗ ಸಂಪನ್ಮೂಲಗಳು

ನ್ಯಾಯಾಂಗ ಸಂಪನ್ಮೂಲಗಳು