

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 BEFORE BENCH 6

Dated 3RD APRIL 2023

PRESIDED BY HON'BLE MEMBER SMT.NEELMANI N RAJU

COMPLAINT NO.:CMP/200712/0006143

COMPLAINANT.....

**MR. SHILADITYA PATNAIK
VENI 908, SJR VERITY
KASAVANAHALLI MAIN ROAD
BENGALURU-560035.**

**(BY MR.G. LAKSHMISH,
ADVOCATE)**

V/S

RESPONDENT.....

**LILY REALTY PVT LTD
No.19/1, Doddamane Building
2nd Floor, Vittal Mallya Road
Bangalore-560001.**

**(BY MR.ARVIND RAO, ADVOCATE
& DUA ASSOCIATES)**

J U D G E M E N T

1. This complaint is filed under section 31 of the RERA Act against the project "**Pashmina Waterfront Phase-I**" developed by "**LILY REALTY PVT LTD**" situated at Katha No.149, Ward No.52, Bhattarahalli Village, Bidarahalli Hobli, Old Madras Road, Bengaluru East, Bengaluru Urban for the relief of interest on delay period.
2. This project has been registered under RERA bearing Registration No.PRM/KA/RERA/1251/446/PR/171014/000345 valid till 31/12/2018.

Brief facts of the complaint are as under:-

3. The complainant had booked an apartment in the project "Pashmina Waterfront Phase-I" of the respondent and entered into an agreement

of sale and construction agreement dated 20/10/2012 and had paid an amount of Rs.67,60,288/- (Rupees Sixty Seven Lakh Sixty Thousand Two Hundred and Eighty Eight only) to the respondent on various dates. As per the sale agreement and construction agreement dated 20/10/2012, the respondent was supposed to hand over the possession of the flat by the end of December 2014 with a grace period of six months i.e by the end of June 2015. The complainant submits that the respondent has not handed over the possession till date and the status of the apartment is incomplete without basic amenities such as water and power connection. The complainant further submits that the occupancy certificate dated 29/6/2019 is disputed as the apartment is not completed as on 6/1/2023 and the completion certificate is also not obtained. Due to this inordinate delay, the complainant has to undergo financial hardship as he has to pay both rent and EMI to the Bank. Thus with no other option left, the complainant has approached this Authority for interest on period of delay and directions to the respondent to complete the construction and handover the flat at the earliest. Hence, this complaint.

4. After registration of the complaint, in pursuance of the notice, the respondent has appeared before the Authority through its counsel and have contested the matter by filing statement of objections on its behalf.
5. The respondent denies each and every allegation made in the complaint as false and that it is not maintainable in the eyes of law. The respondent contends that the delay was due to the inordinate delay caused by the complainant in making payments as per schedule set out in the agreement resulting in severe financial constraints to the respondent. There is an outstanding balance of Rs.7,39,301/- from the complainant payable to respondent. Though the BBMP has issued Occupancy Certificate dated 29/6/2019 and the complainant was informed to clear the dues, the complainant did not make any



payment to the respondent but chose to file the complaint seeking delay compensation to evade the payment due to the respondent. The respondent further submits that the complainant has failed to adhere to the provisions of the RERA Act by not taking possession of the apartment within two months from the date of issue of Occupancy Certificate.

6. The respondent submits that the project is completed in all aspects and that the delay in getting the O.C. from BBMP was due to certain directions issued by the National Green Tribunal to BBMP and other Planning authorities. Vide its order dated 4/5/2016 the NGT issued certain directions with regard to the Buffer Zone to be maintained on the edges of Lakes and Rajakaluves. The delay in making the payment by the complainant resulted in severe financial constraints to the respondent. The delay in completion of the project is attributed to force majeure events such, non-availability of sand, steel, cement and such other vital building materials, demonetization, labour strike, The respondent also contends that this complaint has been filed after the respondent obtained the occupancy certificate from the competent authority and failure on the part of the complainant to take possession of the apartment within two months from the date of grant of OC is clear violation of the provisions of the RERA Act.
7. The respondent submits that the complainant has filed this complaint much after the respondent had obtained occupancy certificate and the complainant is totally aware of it. The respondent also submits that they are willing to execute the sale deed and handover possession of the apartment to the complainant subject to receipt of the outstanding balance. The respondent contends that there is no wilful delay on their part and prays the Authority to dismiss the complaint in the interest of justice and equity.
8. In support of his claim, the complainant has produced documents such as copies of Sale Agreement, Construction Agreement, Allotment

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Karnataka Real Estate Regulatory Authority,

1/14, 2nd Floor, Silver Jubilee Block, Unity Building Backside, CSI Compound,
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Letter dated 30/1/2012, HDFC, Axis Bank statement of account, email correspondence with the respondent and memo of calculation for delay period interest as on 08/10/2022.

9. In support of their defence, the respondent has produced documents such as copies of Occupancy Certificate dated 29/6/2019 issued by BBMP, and statement of accounts dated 17/12/2022. The respondent has not filed its memo of calculation.

10. Heard arguments of both sides.

11. **On the above averments, the following points would arise for my consideration:-**

1. Whether the complainants are entitled for the relief claimed?
2. What order?

12. **My answer to the above points are as under:-**

1. In the Affirmative.
2. As per final order for the following

REASONS

13. **My answer to point No.1:-** From the materials placed on record, it is undisputed that inspite of entering into an agreement for sale and construction agreement to handover the possession of the apartment to the complainant, the builder has not handed over the possession of the flat till date. Hence, the builder has failed to abide by the terms of the agreement for sale and construction agreement dated 20/10/2012.

14. From the averments of the complaint and the copies of agreement between the parties, it is obvious that complainant has already paid an amount of Rs.67,60,288/- to the respondent. Having accepted the said amount and failing to keep up promise to handover possession of apartment till date, certainly entitles the complainant herein for delay period interest.

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15. In the meanwhile this complaint was also sent to Lok Adalat for settlement on 15/11/2022, 28/11/2022 and 6/12/2022. Though the complainant and his advocate were present on all the three occasions, the respondent remained absent. The advocate who appeared on behalf of the respondent was not aware of the facts at all. As the respondent did not co-operate for settlement, the matter was not settled.
16. During the process of the hearing on 15/11/2022, the respondent informed that the complainant was asked to come forward for the registration and take possession of the flat in June 2019.
17. The Authority during the proceedings of the hearing on 21/12/2022, directed both the complainant and respondent to meet on 6th January 2023 on the site at the flat of the complainant to sort out the issue of pending works and schedule the possession date. The complainant was also directed to give an amended petition regarding compensation/delay period interest.
18. On 17/1/2023 during the process of the hearing, the complainant submitted I.A. dated 17/1/2023 to amend the word adequate compensation for delay as delay period interest. The respondent informed the Authority that the inspection of the unit took place on 6/1/23 and discussions were held. The complainant submitted a list of pending works and that the occupancy certificate is false as the apartment is not ready as on date and that all dues are paid to the respondent as on demand except the final instalment which was to be given at the time of possession. The Authority directed the respondent to submit completion certificate during the next hearing.
19. The Authority issued directions to the respondent on 15/2/2023 that the unit should be completed by 2/3/2023 and to produce completion certificate.
20. Again on 2/3/2023, the Authority gave time to the respondent to complete the unit by 15/3/2023 and handover it to the complainant.

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21. During the process of the hearing on 16/3/2023, the Authority noticed that despite several opportunities were given to the respondent to complete the unit and handover possession to the complainant, the respondent had failed to follow the directions issued by the Authority to them. The complainant also informed the Authority that he had visited the apartment and found that it is not ready.
22. The complainant in his memo of calculation as on 25/07/2022 claimed an amount of Rs.45,54,563/- (Rupees Forty Five Lakh Fifty Four Thousand Five Hundred and Sixty Three only) as delay period interest calculated from 01/07/2015 till 25/07/2022. As the respondent has so far not handed over possession of the flat to the complainant, additional delay period interest at the same rate will be calculated till the date of possession and paid to the complainant. A thorough verification of the documentary proof submitted by the complainant reveals that his claim is genuine.
23. Having regard to the above aspects, the Authority concludes that the complainant is entitled for an amount of Rs.45,54,563/- being delay period interest.
24. Therefore, it is incumbent upon the respondent to pay the interest on delay period which is determined as under –

Payment Details			
S.NO	TYPE	AMOUNT	DATE
1	TOTAL PAYMENT TILL POSSESSION	61,68,376	01-07-2015
2	SUBSEQUENT PAYMENT 1	1,87,051	19-04-2016
3	SUBSEQUENT PAYMENT 2	1,87,051	23-02-2017
4	SUBSEQUENT PAYMENT 3	2,17,810	29-06-2017
5	TOTAL PRINCIPLE AMOUNT	67,60,288	
6	TOTAL DELAYED INTEREST as on 25/07/2022	45,54,563	

HLWS

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Interest Calculation						
S.NO	FROM DATE	TO DATE	NO. OF DAYS	MCLR RATE	INTEREST RATE	INTEREST
INTEREST CALCULATION FOR AMOUNT PAID TILL POSSESSION 6,168,376						
1	01-07-2015	01-08-2015	31		9	47,150
2	01-08-2015	01-09-2015	31		9	47,150
3	01-09-2015	01-10-2015	30		9	45,629
4	01-10-2015	01-11-2015	31		9	47,150
5	01-11-2015	01-12-2015	30		9	45,629
6	01-12-2015	01-01-2016	31		9	47,150
7	01-01-2016	01-02-2016	31		9	47,150
8	01-02-2016	01-03-2016	29		9	44,108
9	01-03-2016	01-04-2016	31		9	47,150
10	01-04-2016	01-05-2016	30		9	45,629
11	01-05-2016	01-06-2016	31		9	47,150
12	01-06-2016	01-07-2016	30		9	45,629
13	01-07-2016	01-08-2016	31		9	47,150
14	01-08-2016	01-09-2016	31		9	47,150
15	01-09-2016	01-10-2016	30		9	45,629
16	01-10-2016	01-11-2016	31		9	47,150
17	01-11-2016	01-12-2016	30		9	45,629
18	01-12-2016	01-01-2017	31		9	47,150
19	01-01-2017	01-02-2017	31		9	47,150
20	01-02-2017	01-03-2017	28		9	42,587
21	01-03-2017	01-04-2017	31		9	47,150
22	01-04-2017	01-05-2017	30		9	45,629
23	01-05-2017	01-06-2017	31	8.15	10.15 as on 01-05-2017	53,174
24	01-06-2017	01-07-2017	30	8.15	10.15 as on 01-06-2017	51,459
25	01-07-2017	01-08-2017	31	8.15	10.15 as on 01-07-2017	53,174
26	01-08-2017	01-09-2017	31	8.15	10.15 as on 01-08-2017	53,174
27	01-09-2017	01-10-2017	30	8.15	10.15 as on 01-09-2017	51,459
28	01-10-2017	01-11-2017	31	8.15	10.15 as on 01-10-2017	53,174

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29	01-11-2017	01-12-2017	30	8.1	10.1 as on 01-11-2017	51,205
30	01-12-2017	01-01-2018	31	8.1	10.1 as on 01-12-2017	52,912
31	01-01-2018	01-02-2018	31	8.1	10.1 as on 01-01-2018	52,912
32	01-02-2018	01-03-2018	28	8.1	10.1 as on 01-02-2018	47,792
33	01-03-2018	01-04-2018	31	8.35	10.35 as on 01-03-2018	54,222
34	01-04-2018	01-05-2018	30	8.35	10.35 as on 01-04-2018	52,473
35	01-05-2018	01-06-2018	31	8.35	10.35 as on 01-05-2018	54,222
36	01-06-2018	01-07-2018	30	8.45	10.45 as on 01-06-2018	52,980
37	01-07-2018	01-08-2018	31	8.45	10.45 as on 01-07-2018	54,746
38	01-08-2018	01-09-2018	31	8.45	10.45 as on 01-08-2018	54,746
39	01-09-2018	01-10-2018	30	8.65	10.65 as on 01-09-2018	53,994
40	01-10-2018	01-11-2018	31	8.7	10.7 as on 01-10-2018	56,056
41	01-11-2018	01-12-2018	30	8.7	10.7 as on 01-11-2018	54,247
42	01-12-2018	01-01-2019	31	8.7	10.7 as on 01-11-2018	56,056
43	01-01-2019	01-02-2019	31	8.75	10.75 as on 10-12-2018	56,318
44	01-02-2019	01-03-2019	28	8.75	10.75 as on 10-01-2019	50,867
45	01-03-2019	01-04-2019	31	8.75	10.75 as on 10-02-2019	56,318

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46	01-04-2019	01-05-2019	30	8.75	10.75 as on 10-03-2019	54,501
47	01-05-2019	01-06-2019	31	8.7	10.7 as on 10-04-2019	56,056
48	01-06-2019	01-07-2019	30	8.65	10.65 as on 10-05-2019	53,994
49	01-07-2019	01-08-2019	31	8.65	10.65 as on 10-06-2019	55,794
50	01-08-2019	01-09-2019	31	8.6	10.6 as on 10-07-2019	55,532
51	01-09-2019	01-10-2019	30	8.45	10.45 as on 10-08-2019	52,980
52	01-10-2019	01-11-2019	31	8.35	10.35 as on 10-09-2019	54,222
53	01-11-2019	01-12-2019	30	8.25	10.25 as on 10-10-2019	51,966
54	01-12-2019	01-01-2020	31	8.2	10.2 as on 10-11-2019	53,436
55	01-01-2020	01-02-2020	31	8.2	10.2 as on 10-12-2019	53,436
56	01-02-2020	01-03-2020	29	8.2	10.2 as on 10-01-2020	49,989
57	01-03-2020	01-04-2020	31	8.15	10.15 as on 10-02-2020	53,174
58	01-04-2020	01-05-2020	30	8.05	10.05 as on 10-03-2020	50,952
59	01-05-2020	01-06-2020	31	7.7	9.7 as on 10-04-2020	50,817
60	01-06-2020	01-07-2020	30	7.55	9.55 as on 10-05-2020	48,417
61	01-07-2020	01-08-2020	31	7.3	9.3 as on 10-06-2020	48,721
62	01-08-2020	01-09-2020	31	7.3	9.3 as on 10-07-2020	48,721

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63	01-09-2020	01-10-2020	30	7.3	9.3 as on 10-08-2020	47,150
64	01-10-2020	01-11-2020	31	7.3	9.3 as on 10-09-2020	48,721
65	01-11-2020	01-12-2020	30	7.3	9.3 as on 10-10-2020	47,150
66	01-12-2020	01-01-2021	31	7.3	9.3 as on 10-11-2020	48,721
67	01-01-2021	01-02-2021	31	7.3	9.3 as on 10-12-2020	48,721
68	01-02-2021	01-03-2021	28	7.3	9.3 as on 10-01-2021	44,006
69	01-03-2021	01-04-2021	31	7.3	9.3 as on 10-02-2021	48,721
70	01-04-2021	01-05-2021	30	7.3	9.3 as on 10-03-2021	47,150
71	01-05-2021	01-06-2021	31	7.3	9.3 as on 10-04-2021	48,721
72	01-06-2021	01-07-2021	30	7.3	9.3 as on 15-05-2021	47,150
73	01-07-2021	01-08-2021	31	7.3	9.3 as on 15-06-2021	48,721
74	01-08-2021	01-09-2021	31	7.3	9.3 as on 15-07-2021	48,721
75	01-09-2021	01-10-2021	30	7.3	9.3 as on 15-08-2021	47,150
76	01-10-2021	01-11-2021	31	7.3	9.3 as on 15-09-2021	48,721
77	01-11-2021	01-12-2021	30	7.3	9.3 as on 15-10-2021	47,150
78	01-12-2021	01-01-2022	31	7.3	9.3 as on 15-11-2021	48,721
79	01-01-2022	01-02-2022	31	7.3	9.3 as on 15-12-2021	48,721

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80	01-02-2022	01-03-2022	28	7.3	9.3 as on 15-01-2022	44,006
81	01-03-2022	01-04-2022	31	7.3	9.3 as on 15-02-2022	48,721
82	01-04-2022	01-05-2022	30	7.3	9.3 as on 15-03-2022	47,150
83	01-05-2022	01-06-2022	31	7.4	9.4 as on 15-04-2022	49,245
84	01-06-2022	01-07-2022	30	7.5	9.5 as on 15-05-2022	48,164
85	01-07-2022	25-07-2022	24	7.7	9.7 as on 15-06-2022	39,342
INTEREST CALCULATION FOR SUBSEQUENT PAYMENT 187,051						
1	19-04-2016	19-05-2016	30		9	1,383
2	19-05-2016	19-06-2016	31		9	1,429
3	19-06-2016	19-07-2016	30		9	1,383
4	19-07-2016	19-08-2016	31		9	1,429
5	19-08-2016	19-09-2016	31		9	1,429
6	19-09-2016	19-10-2016	30		9	1,383
7	19-10-2016	19-11-2016	31		9	1,429
8	19-11-2016	19-12-2016	30		9	1,383
9	19-12-2016	19-01-2017	31		9	1,429
10	19-01-2017	19-02-2017	31		9	1,429
11	19-02-2017	19-03-2017	28		9	1,291
12	23-02-2017	23-03-2017	28		9	1,291
13	19-03-2017	19-04-2017	31		9	1,429
14	23-03-2017	23-04-2017	31		9	1,429
15	19-04-2017	19-05-2017	30		9	1,383
16	23-04-2017	23-05-2017	30		9	1,383
17	19-05-2017	19-06-2017	31	8.15	10.15 as on 01-05-2017	1,612
18	23-05-2017	23-06-2017	31	8.15	10.15 as on 01-05-2017	1,612
19	19-06-2017	19-07-2017	30	8.15	10.15 as on 01-06-2017	1,560
20	23-06-2017	23-07-2017	30	8.15	10.15 as on 01-06-2017	1,560

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21	19-07-2017	19-08-2017	31	8.15	10.15 as on 01-07-2017	1,612
22	23-07-2017	23-08-2017	31	8.15	10.15 as on 01-07-2017	1,612
23	19-08-2017	19-09-2017	31	8.15	10.15 as on 01-08-2017	1,612
24	23-08-2017	23-09-2017	31	8.15	10.15 as on 01-08-2017	1,612
25	19-09-2017	19-10-2017	30	8.15	10.15 as on 01-09-2017	1,560
26	23-09-2017	23-10-2017	30	8.15	10.15 as on 01-09-2017	1,560
27	19-10-2017	19-11-2017	31	8.15	10.15 as on 01-10-2017	1,612
28	23-10-2017	23-11-2017	31	8.15	10.15 as on 01-10-2017	1,612
29	19-11-2017	19-12-2017	30	8.1	10.1 as on 01-11-2017	1,552
30	23-11-2017	23-12-2017	30	8.1	10.1 as on 01-11-2017	1,552
31	19-12-2017	19-01-2018	31	8.1	10.1 as on 01-12-2017	1,604
32	23-12-2017	23-01-2018	31	8.1	10.1 as on 01-12-2017	1,604
33	19-01-2018	19-02-2018	31	8.1	10.1 as on 01-01-2018	1,604
34	23-01-2018	23-02-2018	31	8.1	10.1 as on 01-01-2018	1,604
35	19-02-2018	19-03-2018	28	8.1	10.1 as on 01-02-2018	1,449
36	23-02-2018	23-03-2018	28	8.1	10.1 as on 01-02-2018	1,449
37	19-03-2018	19-04-2018	31	8.35	10.35 as on 01-03-2018	1,644

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38	23-03-2018	23-04-2018	31	8.35	10.35 as on 01-03-2018	1,644
39	19-04-2018	19-05-2018	30	8.35	10.35 as on 01-04-2018	1,591
40	23-04-2018	23-05-2018	30	8.35	10.35 as on 01-04-2018	1,591
41	19-05-2018	19-06-2018	31	8.35	10.35 as on 01-05-2018	1,644
42	23-05-2018	23-06-2018	31	8.35	10.35 as on 01-05-2018	1,644
43	19-06-2018	19-07-2018	30	8.45	10.45 as on 01-06-2018	1,606
44	23-06-2018	23-07-2018	30	8.45	10.45 as on 01-06-2018	1,606
45	19-07-2018	19-08-2018	31	8.45	10.45 as on 01-07-2018	1,660
46	23-07-2018	23-08-2018	31	8.45	10.45 as on 01-07-2018	1,660
47	19-08-2018	19-09-2018	31	8.45	10.45 as on 01-08-2018	1,660
48	23-08-2018	23-09-2018	31	8.45	10.45 as on 01-08-2018	1,660
49	19-09-2018	19-10-2018	30	8.65	10.65 as on 01-09-2018	1,637
50	23-09-2018	23-10-2018	30	8.65	10.65 as on 01-09-2018	1,637
51	19-10-2018	19-11-2018	31	8.7	10.7 as on 01-10-2018	1,699
52	23-10-2018	23-11-2018	31	8.7	10.7 as on 01-10-2018	1,699
53	19-11-2018	19-12-2018	30	8.7	10.7 as on 01-11-2018	1,645
54	23-11-2018	23-12-2018	30	8.7	10.7 as on 01-11-2018	1,645

14/11/18

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

55	19-12-2018	19-01-2019	31	8.75	10.75 as on 10-12-2018	1,707
56	23-12-2018	23-01-2019	31	8.75	10.75 as on 10-12-2018	1,707
57	19-01-2019	19-02-2019	31	8.75	10.75 as on 10-01-2019	1,707
58	23-01-2019	23-02-2019	31	8.75	10.75 as on 10-01-2019	1,707
59	19-02-2019	19-03-2019	28	8.75	10.75 as on 10-02-2019	1,542
60	23-02-2019	23-03-2019	28	8.75	10.75 as on 10-02-2019	1,542
61	19-03-2019	19-04-2019	31	8.75	10.75 as on 10-03-2019	1,707
62	23-03-2019	23-04-2019	31	8.75	10.75 as on 10-03-2019	1,707
63	19-04-2019	19-05-2019	30	8.7	10.7 as on 10-04-2019	1,645
64	23-04-2019	23-05-2019	30	8.7	10.7 as on 10-04-2019	1,645
65	19-05-2019	19-06-2019	31	8.65	10.65 as on 10-05-2019	1,691
66	23-05-2019	23-06-2019	31	8.65	10.65 as on 10-05-2019	1,691
67	19-06-2019	19-07-2019	30	8.65	10.65 as on 10-06-2019	1,637
68	23-06-2019	23-07-2019	30	8.65	10.65 as on 10-06-2019	1,637
69	19-07-2019	19-08-2019	31	8.6	10.6 as on 10-07-2019	1,683
70	23-07-2019	23-08-2019	31	8.6	10.6 as on 10-07-2019	1,683
71	19-08-2019	19-09-2019	31	8.45	10.45 as on 10-08-2019	1,660

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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

72	23-08-2019	23-09-2019	31	8.45	10.45 as on 10-08-2019	1,660
73	19-09-2019	19-10-2019	30	8.35	10.35 as on 10-09-2019	1,591
74	23-09-2019	23-10-2019	30	8.35	10.35 as on 10-09-2019	1,591
75	19-10-2019	19-11-2019	31	8.25	10.25 as on 10-10-2019	1,628
76	23-10-2019	23-11-2019	31	8.25	10.25 as on 10-10-2019	1,628
77	19-11-2019	19-12-2019	30	8.2	10.2 as on 10-11-2019	1,568
78	23-11-2019	23-12-2019	30	8.2	10.2 as on 10-11-2019	1,568
79	19-12-2019	19-01-2020	31	8.2	10.2 as on 10-12-2019	1,620
80	23-12-2019	23-01-2020	31	8.2	10.2 as on 10-12-2019	1,620
81	19-01-2020	19-02-2020	31	8.2	10.2 as on 10-01-2020	1,620
82	23-01-2020	23-02-2020	31	8.2	10.2 as on 10-01-2020	1,620
83	19-02-2020	19-03-2020	29	8.15	10.15 as on 10-02-2020	1,508
84	23-02-2020	23-03-2020	29	8.15	10.15 as on 10-02-2020	1,508
85	19-03-2020	19-04-2020	31	8.05	10.05 as on 10-03-2020	1,596
86	23-03-2020	23-04-2020	31	8.05	10.05 as on 10-03-2020	1,596
87	19-04-2020	19-05-2020	30	7.7	9.7 as on 10-04-2020	1,491
88	23-04-2020	23-05-2020	30	7.7	9.7 as on 10-04-2020	1,491

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

89	19-05-2020	19-06-2020	31	7.55	9.55 as on 10-05-2020	1,517
90	23-05-2020	23-06-2020	31	7.55	9.55 as on 10-05-2020	1,517
91	19-06-2020	19-07-2020	30	7.3	9.3 as on 10-06-2020	1,429
92	23-06-2020	23-07-2020	30	7.3	9.3 as on 10-06-2020	1,429
93	19-07-2020	19-08-2020	31	7.3	9.3 as on 10-07-2020	1,477
94	23-07-2020	23-08-2020	31	7.3	9.3 as on 10-07-2020	1,477
95	19-08-2020	19-09-2020	31	7.3	9.3 as on 10-08-2020	1,477
96	23-08-2020	23-09-2020	31	7.3	9.3 as on 10-08-2020	1,477
97	19-09-2020	19-10-2020	30	7.3	9.3 as on 10-09-2020	1,429
98	23-09-2020	23-10-2020	30	7.3	9.3 as on 10-09-2020	1,429
99	19-10-2020	19-11-2020	31	7.3	9.3 as on 10-10-2020	1,477
100	23-10-2020	23-11-2020	31	7.3	9.3 as on 10-10-2020	1,477
101	19-11-2020	19-12-2020	30	7.3	9.3 as on 10-11-2020	1,429
102	23-11-2020	23-12-2020	30	7.3	9.3 as on 10-11-2020	1,429
103	19-12-2020	19-01-2021	31	7.3	9.3 as on 10-12-2020	1,477
104	23-12-2020	23-01-2021	31	7.3	9.3 as on 10-12-2020	1,477
105	19-01-2021	19-02-2021	31	7.3	9.3 as on 10-01-2021	1,477

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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

106	23-01-2021	23-02-2021	31	7.3	9.3 as on 10-01-2021	1,477
107	19-02-2021	19-03-2021	28	7.3	9.3 as on 10-02-2021	1,334
108	23-02-2021	23-03-2021	28	7.3	9.3 as on 10-02-2021	1,334
109	19-03-2021	19-04-2021	31	7.3	9.3 as on 10-03-2021	1,477
110	23-03-2021	23-04-2021	31	7.3	9.3 as on 10-03-2021	1,477
111	19-04-2021	19-05-2021	30	7.3	9.3 as on 10-04-2021	1,429
112	23-04-2021	23-05-2021	30	7.3	9.3 as on 10-04-2021	1,429
113	19-05-2021	19-06-2021	31	7.3	9.3 as on 15-05-2021	1,477
114	23-05-2021	23-06-2021	31	7.3	9.3 as on 15-05-2021	1,477
115	19-06-2021	19-07-2021	30	7.3	9.3 as on 15-06-2021	1,429
116	23-06-2021	23-07-2021	30	7.3	9.3 as on 15-06-2021	1,429
117	19-07-2021	19-08-2021	31	7.3	9.3 as on 15-07-2021	1,477
118	23-07-2021	23-08-2021	31	7.3	9.3 as on 15-07-2021	1,477
119	19-08-2021	19-09-2021	31	7.3	9.3 as on 15-08-2021	1,477
120	23-08-2021	23-09-2021	31	7.3	9.3 as on 15-08-2021	1,477
121	19-09-2021	19-10-2021	30	7.3	9.3 as on 15-09-2021	1,429
122	23-09-2021	23-10-2021	30	7.3	9.3 as on 15-09-2021	1,429

Plus

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

123	19-10-2021	19-11-2021	31	7.3	9.3 as on 15-10-2021	1,477
124	23-10-2021	23-11-2021	31	7.3	9.3 as on 15-10-2021	1,477
125	19-11-2021	19-12-2021	30	7.3	9.3 as on 15-11-2021	1,429
126	23-11-2021	23-12-2021	30	7.3	9.3 as on 15-11-2021	1,429
127	19-12-2021	19-01-2022	31	7.3	9.3 as on 15-12-2021	1,477
128	23-12-2021	23-01-2022	31	7.3	9.3 as on 15-12-2021	1,477
129	19-01-2022	19-02-2022	31	7.3	9.3 as on 15-01-2022	1,477
130	23-01-2022	23-02-2022	31	7.3	9.3 as on 15-01-2022	1,477
131	19-02-2022	19-03-2022	28	7.3	9.3 as on 15-02-2022	1,334
132	23-02-2022	23-03-2022	28	7.3	9.3 as on 15-02-2022	1,334
133	19-03-2022	19-04-2022	31	7.3	9.3 as on 15-03-2022	1,477
134	23-03-2022	23-04-2022	31	7.3	9.3 as on 15-03-2022	1,477
135	19-04-2022	19-05-2022	30	7.4	9.4 as on 15-04-2022	1,445
136	23-04-2022	23-05-2022	30	7.4	9.4 as on 15-04-2022	1,445
137	19-05-2022	19-06-2022	31	7.5	9.5 as on 15-05-2022	1,509
138	23-05-2022	23-06-2022	31	7.5	9.5 as on 15-05-2022	1,509
139	19-06-2022	19-07-2022	30	7.7	9.7 as on 15-06-2022	1,491

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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

140	23-06-2022	23-07-2022	30	7.7	9.7 as on 15-06-2022	1,491
141	19-07-2022	25-07-2022	6	7.8	9.8 as on 15-07-2022	301
142	23-07-2022	25-07-2022	2	7.8	9.8 as on 15-07-2022	100
INTEREST CALCULATION FOR SUBSEQUENT PAYMENT 217,810						
1	29-06-2017	29-07-2017	30	8.15	10.15 as on 01-06-2017	1,817
2	29-07-2017	29-08-2017	31	8.15	10.15 as on 01-07-2017	1,877
3	29-08-2017	29-09-2017	31	8.15	10.15 as on 01-08-2017	1,877
4	29-09-2017	29-10-2017	30	8.15	10.15 as on 01-09-2017	1,817
5	29-10-2017	29-11-2017	31	8.15	10.15 as on 01-10-2017	1,877
6	29-11-2017	29-12-2017	30	8.1	10.1 as on 01-11-2017	1,808
7	29-12-2017	29-01-2018	31	8.1	10.1 as on 01-12-2017	1,868
8	29-01-2018	28-02-2018	30	8.1	10.1 as on 01-01-2018	1,808
9	28-02-2018	28-03-2018	28	8.1	10.1 as on 01-02-2018	1,687
10	28-03-2018	28-04-2018	31	8.35	10.35 as on 01-03-2018	1,914
11	28-04-2018	28-05-2018	30	8.35	10.35 as on 01-04-2018	1,852
12	28-05-2018	28-06-2018	31	8.35	10.35 as on 01-05-2018	1,914
13	28-06-2018	28-07-2018	30	8.45	10.45 as on 01-06-2018	1,870
14	28-07-2018	28-08-2018	31	8.45	10.45 as on 01-07-2018	1,933

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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

15	28-08-2018	28-09-2018	31	8.45	10.45 as on 01-08-2018	1,933
16	28-09-2018	28-10-2018	30	8.65	10.65 as on 01-09-2018	1,906
17	28-10-2018	28-11-2018	31	8.7	10.7 as on 01-10-2018	1,979
18	28-11-2018	28-12-2018	30	8.7	10.7 as on 01-11-2018	1,915
19	28-12-2018	28-01-2019	31	8.75	10.75 as on 10-12-2018	1,988
20	28-01-2019	28-02-2019	31	8.75	10.75 as on 10-01-2019	1,988
21	28-02-2019	28-03-2019	28	8.75	10.75 as on 10-02-2019	1,796
22	28-03-2019	28-04-2019	31	8.75	10.75 as on 10-03-2019	1,988
23	28-04-2019	28-05-2019	30	8.7	10.7 as on 10-04-2019	1,915
24	28-05-2019	28-06-2019	31	8.65	10.65 as on 10-05-2019	1,970
25	28-06-2019	28-07-2019	30	8.65	10.65 as on 10-06-2019	1,906
26	28-07-2019	28-08-2019	31	8.6	10.6 as on 10-07-2019	1,960
27	28-08-2019	28-09-2019	31	8.45	10.45 as on 10-08-2019	1,933
28	28-09-2019	28-10-2019	30	8.35	10.35 as on 10-09-2019	1,852
29	28-10-2019	28-11-2019	31	8.25	10.25 as on 10-10-2019	1,896
30	28-11-2019	28-12-2019	30	8.2	10.2 as on 10-11-2019	1,826
31	28-12-2019	28-01-2020	31	8.2	10.2 as on 10-12-2019	1,886

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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

32	28-01-2020	28-02-2020	31	8.2	10.2 as on 10-01-2020	1,886
33	28-02-2020	28-03-2020	29	8.15	10.15 as on 10-02-2020	1,756
34	28-03-2020	28-04-2020	31	8.05	10.05 as on 10-03-2020	1,859
35	28-04-2020	28-05-2020	30	7.7	9.7 as on 10-04-2020	1,736
36	28-05-2020	28-06-2020	31	7.55	9.55 as on 10-05-2020	1,766
37	28-06-2020	28-07-2020	30	7.3	9.3 as on 10-06-2020	1,664
38	28-07-2020	28-08-2020	31	7.3	9.3 as on 10-07-2020	1,720
39	28-08-2020	28-09-2020	31	7.3	9.3 as on 10-08-2020	1,720
40	28-09-2020	28-10-2020	30	7.3	9.3 as on 10-09-2020	1,664
41	28-10-2020	28-11-2020	31	7.3	9.3 as on 10-10-2020	1,720
42	28-11-2020	28-12-2020	30	7.3	9.3 as on 10-11-2020	1,664
43	28-12-2020	28-01-2021	31	7.3	9.3 as on 10-12-2020	1,720
44	28-01-2021	28-02-2021	31	7.3	9.3 as on 10-01-2021	1,720
45	28-02-2021	28-03-2021	28	7.3	9.3 as on 10-02-2021	1,553
46	28-03-2021	28-04-2021	31	7.3	9.3 as on 10-03-2021	1,720
47	28-04-2021	28-05-2021	30	7.3	9.3 as on 10-04-2021	1,664
48	28-05-2021	28-06-2021	31	7.3	9.3 as on 15-05-2021	1,720

Handwritten signature

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

49	28-06-2021	28-07-2021	30	7.3	9.3 as on 15-06-2021	1,664
50	28-07-2021	28-08-2021	31	7.3	9.3 as on 15-07-2021	1,720
51	28-08-2021	28-09-2021	31	7.3	9.3 as on 15-08-2021	1,720
52	28-09-2021	28-10-2021	30	7.3	9.3 as on 15-09-2021	1,664
53	28-10-2021	28-11-2021	31	7.3	9.3 as on 15-10-2021	1,720
54	28-11-2021	28-12-2021	30	7.3	9.3 as on 15-11-2021	1,664
55	28-12-2021	28-01-2022	31	7.3	9.3 as on 15-12-2021	1,720
56	28-01-2022	28-02-2022	31	7.3	9.3 as on 15-01-2022	1,720
57	28-02-2022	28-03-2022	28	7.3	9.3 as on 15-02-2022	1,553
58	28-03-2022	28-04-2022	31	7.3	9.3 as on 15-03-2022	1,720
59	28-04-2022	28-05-2022	30	7.4	9.4 as on 15-04-2022	1,682
60	28-05-2022	28-06-2022	31	7.5	9.5 as on 15-05-2022	1,757
61	28-06-2022	25-07-2022	27	7.7	9.7 as on 15-06-2022	1,562
					TOTAL DELAYED INTEREST as on 25/07/2022	45,54,563

25. Accordingly the point raised above is answered in the Affirmative.

(Handwritten signature)

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

26. **My answer to point No.2:-** In view of the above discussion, I proceed to pass the following -

ORDER

In exercise of the powers conferred under Section 31 of the Real Estate (Regulation and Development) Act, 2016, the complaint bearing No. **CMP/200712/0006143** is hereby allowed. Respondent is directed to pay a sum of **Rs.45,54,563/- (Rupees Forty Five Lakh Fifty Four Thousand Five Hundred and Sixty Three only)** towards delay period interest to the complainant within 60 days from the date of this order, calculated at 9% from 01/07/2015 to 30/04/2017 and MCLR + 2% from 01/05/2017 till 25/7/2022. The interest due from 26/07/2022 up to the date of handing over possession of the flat will be calculated likewise and paid to the complainant. The complainant is at liberty to initiate action for recovery in accordance with law if the respondent fails to pay the amount as per the order of this Authority.



(Neelmani N Raju)
Member, KRERA

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