

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 21st of June 2019

COMPLAINANTS

1. CMP/180831/0001200

PRANAV BHANOT,
No. 208, 7th Cross,
Chikkaramaiah Layout,
Bengaluru - 560016

2. CMP/180807/0001119

AMITH PANDE,
No. G/15, Gangothi Colony,
REWA - 486001,
Madhya Pradesh.

3. CMP/180718/0001049

RATEEK DHAWAN,
House No. 803, Wing 10,
AHAD Euphoria Apartment,
Bengaluru Urban - 560035.

4. CMP/180430/0000792

K. GANESAN,
No. 4BC-122,
Bengaluru - 560043.

5. CMP/190116/0001880

T. J SUNIL KUMAR,
No. 203, S 11 Block,
Smondoville Apartments,
Bengaluru Urban - 560100.

6. CMP/UR/190213/0002127

SONALI KUMARI,
No. 44, 4th Cross,
GR Homes, Rayasandra,
Bengaluru Rural - 560100.

VERSUS

21/6/19

21/06

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ,

Karnataka Real Estate Regulatory Authority,

1/14, 2nd Floor, Silver Jubilee Block, Unity Building Backside, CSI Compound,
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RESPONDENT

M/S GM INFINITE DWELLING (INDIA) PVT. LTD.,

M PEARL, No. 06,
1st Stage, 1st Phase,
BTM Layout, Ring Road,
Bengaluru - 560068.

GM INFINITE E CITY TOW I PHASE - 2. (Project Name)

Thirupalya Village, Electronic City Phase 1,
Bengaluru.

(Represented by Sri. G. V. Chandrashekar,
Advocate, JF and JP Law Firm)

The common grievances of the complainants is that they have booked apartments in the above said project way back in 2014 and some of the complainants have booked the apartments in the year 2015 and they have raised bank loans to pay for the cost of the apartments. That the builders have already collected 95% of the flat cost. That the promoter had promised to deliver the possession of the apartment by December 2016 or January 2017 and even if the grace period of 6 months is allowed, delivery of possession would fall within July 2017. But till today the developer has not handed over the possession of the apartment, that the complainants are deprived of owning their flats and on the contrary they are paying interest on the amounts borrowed from the banks. It is also alleged that the Developer has denied them a copy of the Khata and Commencement certificate which they are legally entitled to. On enquiries by the complainants, the Developer all the time assured new dates for delivery of possession. The project is still under construction and has not been registered under RERA. The developer has not adhered to the terms and conditions of the Agreement of Sale and the construction Agreement. The relief sought is

(a) The project has to be registered under RERA.

21/6/19

Udhmevarasu

21/06/2019

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- (b) Authority should intervene for early completion of the project avoiding future delay
- (c) To order for penalty for the delay.
- (d) To direct the builder to arrange for occupancy certificate.
- (e) To get the sale deeds registered only when all the amenities are fully completed.

A notice was issued to the respondent on 28/10/2017. After a series of hearings one of the complainants and the respondent have filed joint MEMO stating "the matter/ dispute between the petitioner and the Respondent is already settled amicably. Hence the respondent herein most respectfully prays this Honble Authority be please to dismiss the above complaint in the interest of justice and equity".

In the cases the Respondent has filed hard copies stated to have been received from the complainants informing that they want to withdraw the complaints.

Hence the following order.

ORDER

Joint MEMO filed by the complainant and the respondents, and the hard copies of the emails received by the Respondent from the complainants stating that they want to withdraw the complaints have been taken note of. Accordingly, the complaints are hereby disposed off

as dismissed.

(Adoni Syed Saleem)

Member -2
KRERA

(D. Vishnuvardhana Reddy) 21/06/2019.

Member-1
KRERA

(M.R Kamble)

Chairman
KRERA