

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 29th of November 2019

COMPLAINT No. CMP/171228/0000358

B R KRISHNA,

....Complainant

#11, 1st Main, A K Colony,
Jeevanahalli, Cox Town,
Bengaluru - 560005.

VERSUS

**NGEF EMPLOYEES HOUSE BUILDING
CO -OPERATIVE SOCIETY LIMITED,**

....Respondent

No. 215, 1st Floor, Link road,
Seshadripuram,
Bengaluru - 560020.

This complaint is filed against the **"NGEF EMPLOYEES HOUSE BUILDING CO -OPERATIVE SOCIETY LIMITED"** Bengaluru, alleging as follows.

"That a site was allotted to him and possession certificate issued. But subsequently without his knowledge the site was registered in the name of the wife of Haras Kumar, the director". The complainant has requested for return of the site.

Notices were issued to both the parties. The respondent was represented by its Secretary. A written statement was also filed by the respondent on 13/11/2019.

29/11/19

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Karnataka Real Estate Regulatory Authority,

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From the submissions made by both the parties and also the documents filed, it is clear that the complainant was allotted a site on 29/08/1992 and subsequently the allotment was shifted in favour of Smt. H Anitha, with the consent of the complainant on 21/11/1992. The site was then registered in her name on 18/12/1992. The registered sale deed has the signature of the complainant as a witness. The complainant now says that he had not consented for the transfer of the allotment and the signature found on the sale deed is not his.

The Joint Registrar of the co-operative society, bengaluru had conducted a detailed enquiry and vide his order number CHRB/MD/10/2006-07, dated 04/06/2007 has dismissed the petition filed by the complainant on the grounds of delay.

It appears that the complainant has not filed any appeal against the orders passed by the competent Authority.

The complainant is requesting for a relief against the transfer of allotment of site made by the respondent on 21/11/1992. And an order was also passed against him by the competent Authority namely the Joint Registrar of co-operative societies on 04/06/2007, against which the complainant has not filed any appeal.

The complainant is seeking relief for an event which has taken place before 24 years of coming to force of The Real Estate (Regulation and Development) Act, 2016.

In view of the above, following order is passed.

 29/11/19


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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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ORDER

The complaint bearing No.
CMP/171228/0000358 is hereby rejected as not
maintainable under Section 31 of the Real Estate
(Regulation and Development) Act, 2016.


(Adoni Syed Saleem)
Member-2
KRERA