

BEFORE ADJUDICATING OFFICER, RERA
BENGALURU, KARNATAKA

Complaint No. CMP/190928/0004342

Presided by Sri K Palakshappa

Adjudicating Officer

Date: 2nd JANUARY 2019

Complainant : Rakhav R
G1, Ashoka Residency
Suddaguntapalya,
C.V.Ramannagar
Bengaluru-560093

AND

Opponent : Fortuna Bluewings
Fortuna Constructions India
Pvt. Ltd., #3156, 12th Main
HAL 2nd Stage, Indiranagar
Bengaluru- 560038

"J U D G E M E N T"

1. RAKHAV R, Complainant has filed complaint bearing complaint no.CMP/190928/0004342 under Section 31 of RERA Act against the project 'Fortuna Bluewings' developed by "Fortuna Constructions India Pvt. Ltd.," 'as the complainant is the consumer in the said project. The complaint is as follows:

I had booked Flat B-303 in Fortune Blue Wings by paying Rs.One lakh through cheque No.166042 dated 29.04.2019 drawn on Citibank. I went ahead with legal verification and found deviation in the project which is not satisfactory. I had cancelled the booking on 11.05.2019 via email and received the ack. email from the builder

P. Devaru
26/01/2020

Relief Sought from RERA : Refund of booking amount and compensation.

- ## REASONS

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2019. The developer has not contested the same and hence, I believe the case of the complainant.

7) Before passing the final order I would like to say that as per section 71(2) of RERA the complaint shall be disposed off by the Authority within 60 days from the date of receipt of the complaint. In this case the complaint was filed on 28/09/2019 and parties appeared on 22.10.2019. In view of the same the present complaint is being disposed off on today is with little delay. With this observation, I pass the following

ORDER

- a. The Complaint filed by the complainant bearing No. CMP/190928/0004342 is hereby allowed.
- b. The developer is hereby directed to return Rs.1,00,000/- within 30 days from today. If not, it will carry interest @ 2% above the MCLR of SBI commencing from 31st date till realization.
- c. The developer is hereby directed to pay Rs.5,000/- as cost of the petition.

Intimate the parties regarding the order.

(Typed as per dictated, corrected, verified and pronounced on 02/01/2020).

K. PALAKSHAPPA
Adjudicating Officer

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