



# ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ

ಕಡತ ಸಂಖ್ಯೆ .....CMP 972.....

ಪುಟ ಸಂಖ್ಯೆ .....೨೧.....

ವಿಷಯ .....Recovery Execution of Order.....

ಕಂಡಿಕೆ ಸಂಖ್ಯೆ	ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು
ಎ	<p>Complaint under Section 31 of RERA Act has been initiated by the complainant Saraswathi N who is the consumer under the project "Surya Elegance Apartment" which is developed by "Karnataka Housing Board". This complaint was filed by the complainant claiming for delay compensation. After hearing the parties, order was passed on 26/09/2018 by directing the developer to pay Rs. 3000/- per month as delay compensation commencing from January 2018 till the possession of the allotted flat along with necessary amenities.</p> <p>The complainant has given a representation on 2/01/2019 to this authority to take action against the developer for recovery of the said amount since the developer has failed to comply with the order. Accordingly recovery warrant has been issued for the recovery of Rs. 39,000/- as per the recovery amount dated 4.09.2019 which is for the period 01.01.2018 to 1.01.2019.</p> <p>Now the complainant has given a representation on 5.3.2020 stating that this authority has sent recovery warrant only in respect of Rs. 39,000/- which was recovered by the Deputy commissioner by issuing the cheque dated 04.02.2020 (Ch.no.849913) to the complainant. But it is her submission that order was passed till the possession of the allotted flat along with all amenities. Till today the complainant had not got any flat nor remaining amount. Complainant has submitted to recover the remaining amount of Rs. 42,000/- for the period from 01.02.2019 to 05.03.2020 by issuing the warrant.</p>



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ಕಡತದ ಸಂಖ್ಯೆ .....CMP 972.....

ಪುಟ ಸಂಖ್ಯೆ .....೨೨.....

ವಿಷಯ .....Regarding Execution of Order.....

ಕಂಡಿಕೆ  
ಸಂಖ್ಯೆ

ಟಿಪ್ಪಣಿ ಮತ್ತು ಆದೇಶಗಳು

On the basis of the representation given by the complainant, notice was issued to the developer to appear before the Adjudicating Officer on 19/03/2020. In the meanwhile on account of natural calamity COVID-19 the whole nation was put under lock down completely from 24/03/2020 till 17/05/2010 and as such this order could not be passed.

Now the complainant has given the representation of Rs.42,000/- for the period 01.02.2019 to 05.03.2020 by issuing one more warrant. The respondent has failed to comply the same hence I proceed to pass the following order

## ORDER

By acting under Section 40 of the RERA Act, read with Rule 25, the amount payable of Rs. 42,000/- which is for the period 01.02.2019 to 5.03.2020. by treating the same as arrears of land revenue from the developer "Karnataka Housing Board," and the same has to be recovered by sending the file to Deputy Commissioner for recovery as arrears of land revenue. The same amount shall be deposited in the office bearing Account.

Adjudicating Officer  
29/06/2020