

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 17th of AUGUST 2020

Complaint No. CMP/UR/190603/0003175

**ARUN PRAKASH RAVICHANDRAN &
PADMASHREE ARUN PRAKASH**

....Complainants

No. 132/6-2, 3rd Main, 2nd Cross,
Navodhaya Nagar, JP Nagar 7th Phase,
Bengaluru Urban - 560078.

AND

CMRS INFRASTRUCTURE PVT. LTD.,

.....Respondent

No. 539, 3rd Floor, Above SBI,
AFCS Layout Main Road,
Brook Field,
Bengaluru Urban - 560037.

This complaint has been filed against CMRS Infrastructure Pvt. Ltd., Project. Following are the issues raised by the complainant in his online complaint.

- (i) That they booked a flat C-405 on 29/06/2016 by paying Rs.1,00,000/-
- (ii) On 10/08/2016, an additional amount of Rs.4,29,900/- was paid and an agreement for sale was executed.
- (iii) Since the construction of the apartment was very much delayed, the developer offered and they agreed for cancellation of the flat C-405 and instead booked a flat A-701 on 17/10/2017.

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- (iv) On 23/08/2016 a bank loan of Rs. 34,00,000/- was released to the builder.
- (v) That so far they have paid a total amount of Rs.39,29,900/- to the builder in addition to the interest paid to the banker.
- (vi) Since the construction of the apartment is inordinately delayed, the complainant has asked for refund and compensation.

Notices were issued to both the sides. On 10/12/2019, the representative of the respondent promoter was present and the complainant was absent.

On 10/12/2019, SNR Associates, Advocates filed vakalt on behalf of the respondent.

On 17/12/2019, both the sides were present and the complainant requesting for an order refunding his amount along with interest. The case was hence posted for orders.

When such being the case the respondent filed a joint memo on 19/12/2019 before this Authority expressing the following settlement arrived with the complainant.

- (i) That the builder will be paying a monthly rent of Rs. 12,000/- from 01/11/2019 till the builder delivers the apartment for interior works till October 2020.
- (ii) The builder undertakes to complete the apartment within October 2020 and will handover the possession to the complainant for getting interior works done.

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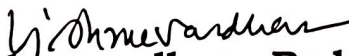
- (iii) In case the apartment is not ready within October 2020, the builder agrees to pay to the complainant the sum of Rs.39,29,900/- which he has received along with interest within one month of the expiry date.

The complainant has also filed a memo on 19/12/2019 accepting the offer made by the promoter.

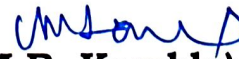
In view of the settlement reached out of court between the complainant and the respondent, the following order is passed.

ORDER

In exercise of the powers conferred under Section 31 of the Real Estate (Regulation and Development) Act, 2016, the complaint bearing No. CMP/UR/190603/0003175 is hereby dismissed in view of the settlement dated 19/12/2019 reached between both the parties.


(D. Vishnuvardhana Reddy)
Member - 1
KRERA


(Adoni Syed Saleem)
Member - 2
KRERA


(M.R. Kamble)
Chairman
KRERA