

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 13th of October 2020

Ref:	CMP/181105/0001610
Complainants	Smt. Mary Magdalene Priya 212/1, 4 TH Cross, Munigowda Road, Ramaswamy Palya, Bangalore -560033.
Promoter / Project Name	Commissioner, Bangalore Development Authority, Kumara Park West, T.Chowdaiah Road, Bangalore-560020.

Complainant by name Smt. Mary Magdalene Priya , Bangalore has filed a complaint against the Bangalore Development Authority, Project "**Panchavati Apartment**" under section 14 of the RERA Act.

Executive Engineer, Housing Project Division-1, BDA, Bangalore, has filed Statement of objection on behalf of the respondent. Notices were issued to both the parties and proceedings conducted.

Brief Fact of the Case

Smt. Mary Magdalene Priya, Bangalore got allotted a residential flat in 2013 at Kothan Dinne by BDA. project by name "**Panchavati Apartment**" Complaint in brief is as under :-

"My mother, BONIFAS MARY C, applied for the flat with BDA and she was allotted the flat in 2013 at Kothanur Dinne, and the flat number is B5-302. we did the registration in October 2017. We did not take the keys of the flat from builder because of pending works and were hoping for the completion of the same all these days, in vain. And now it's more than a year and the pending works are not complete. In spite of several visits and letters submitted to BDA officials and commissioner there is no improvement. The following are the pending works

- 1- Commissioning of Lift facility to block 5
- 2- BESCOM power connection
- 3- BWSSB water connection
- 4- STP not functioning
- 5- Fire safety works
- 6- Diesel generator work

[Signature]

[Signature]

[Signature]

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

- 7- Office room, store room, fire room, diesel generator room, security room, common area toilet works
- 8- approval from BESCOM, BWSSB, BBMP, fire department, Lift approval, pollution control board, etc
- 9- Street light works we are under a great loss as we are not able to move to the flat without lift and other facilities. We request you to issue the order to BDA to complete all the pending works and help us get the compensation for the loss we are facing. We request you to issue an order against BDA that they complete all the pending works within six months and pay us compensation until the day of completion of all the pending works starting from the date of property registration."

In response to the above complaint the Executive Engineer, BDA, for respondent has submitted his written statement as under:

Sl.No	Issued Raised by the complainant	Compliance
1	Commissioning of Lift facility to block 5	The Lift has been commissioned to block- 5 and is Functional. Allottee residing in Block-5 are making use of the facility.
2	BESCOM power connection	Permanent power supply from BESCOM has been procured and the allottees already residing are enjoying the permanent power supply.
3	BWSSB water connection	The pipeline work for BWSSB water supply is completed and fixing of water meter is awaited from BWSSB which is delayed due to Covid-19 issued with concerned BWSSB officials. However presently sufficient bore well water is provided for the residents.
4	STP not functioning	After procurement of permanent power supply the STP is operational and functional.
5	Fire safety works	Fire safety works have been completed and NOC has been

Vishnunarake

Vinayak

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

		obtained from the Fire Department.
6	Diesel generator work	The diesel generator has been commissioned long back and is working during power failures for common area requirements like lifts, street lights etc.,
7	Office room, store room, fire room, diesel generator room, security room, common area toilet works	There is not provision for the office room, store room, security room, common area toilet etc., in the original scope of the work and these were not promised to the allottees in the Notification.
8	approvals from BESCOM, BWSSB, LBMP, fire department, fire approval, pollution control board, etc	All the statutory approvals like NOC from fire department and pollution control board, NOC from lift vendor etc., have been procured and handed over to the Residents Welfare Association.
9	Street light works we are under a great loss as we are not able to move to the flat without lift and other facilities.	Street light poles have been fixed and are functional.

Executive Engineer, BDA has submitted that the grievances put forth by the complainant have been duly attended and the flat belonging to the complainant is ready for occupation.

During the hearing, Executive Engineer, B.D.A. also submitted that BDA will pay the electricity bill during construction. The complainant raised the issue of car parking. When asked as to whether there is a provision for car parking in the agreement, the Executive Engineer, BDA, said that there is no mention of car parking in the sale agreement.

Vishwanath

Vishwanath

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

In view of the above, following order is passed.

ORDER

The complaint filed by the complainant **Smt. Mary Magdalene Priya** bearing No. CMP/181105/0001610 against the **Bangalore Development Authority**, Bangalore is treated as **disposed of** in view of all the pending works raised in the complaint as being complied by the Bangalore Development Authority.

(D. Vishnuvarahana Reddy)

Member 1
KRERA

(Adoni Syed Saleem)

Member-2
KRERA

(M.R Kamble)

Chairman
KRERA