

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: 10th of NOVEMBER 2021

COMPLAINT NO CMP/UR/200312/0005697

MR. HARISH RAICHANDANI

... COMPLAINANT

**715, PRITHVI BLOCK,
MY HOME NAVADWEPA HI TEC CITY,
MADHAPUR,
HYDERABAD-500081.
TELANGANA STATE**

VERSUS

Mr. MUNINDER SEERU

... RESPONDENT

**21/19, CRAIG PARK LAYOUT,
OFF. M.G. ROAD,
BENGALURU-560001.**

The above said complaint has been filed by the complainant Mr. Harish Raichandani against Mr. Muninder Seeru, Promoter, GCorp Icon North Project which was promoted by GCorp Homes Private Limited.

The facts of the complaint are as follows:

"In August 2013, buyer deposited Rs.58.11 Lakh for D-1403 apartment with target date Nov 2016. The total consideration was Rs.1,14,03,200/-. The balance sum including fixed lumpsum interest payable being Rs.67.48 Lakhs at the time of handover. Despite an earlier RERA Order CMP/180621/0000939 dated 1st October 2018 builder is evading completion and handover. Relief sought from RERA: Refund of money deposited along with builder specified 18% interest

4/11/21

1/11/21

1/11/21

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

amounting to Rs.1.86 crores or relief of Rs. 38.35 Lakhs for deficiencies and delay with immediate handover."

In the written submission filed by the respondent on 14/12/2020, it is stated that all the averments made in the complaint are contrary to what is stated in the statement of objection and are denied. The respondent also prayed that the Hon'ble Authority may be pleased to dismiss the above complaint filed against the respondent and direct the complainant to take possession of the flat and consequently to pay all the outstanding dues to the respondent with applicable interest etc.

Notices were issued to the Complainant and the Respondent and the hearing was held on 26/8/2021. On 26/8/2021, when the hearing was held Sri.N. Ramesh, respondent's Senior Vice President from the promoter side appeared. It was informed that on 15/3/2021, a settlement has happened between the Complainant and the Respondent, and the same was sent to RERA through email. The respondent was instructed to send the Authorisation letter from the company for having authorised Mr. Ramesh to appear on behalf of the Respondent and Joint Settlement Agreement.

On 13/9/2021, the Complainant has filed a Joint Memo for withdrawal of complaint with the promoter along with Compromise Petition under order XXIII Rule 3 of the Code of Civil Procedure, 1908 and have stated that the settlement arrived at is a full and final settlement between the Parties. The complainant has stated that the dispute has been resolved amicably. It was mutually agreed by the parties to relinquish the complainant's right to purchase the said property for a mutually agreed sum. Consequent to the Agreement of Extinguishment dated 9th March, 2021, the respondent has paid the mutually agreed sum to the complainant and thereafter on the same 9th March 2021

Relms

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

entered into a Deed of Cancellation of the Agreement for Sale and Agreement for construction dated 10/8/2013 entered between the complainant and the respondent towards Apartment No. 1403 on the 14th Floor of Tower named as "D" Block in "The Icon-North", Bengaluru.

Accordingly, the complainant confirmed withdrawal of this case through e-mail communication addressed to the Hon'ble Adjudicating Officer, RERA-Karnataka on 15/3/2021. Thus, the email and this Memo confirm the amicable settlement of the case on mutually agreed terms, thereby withdrawing the complaint and requesting for closure of the case. further stated that in view of completion of the project prior to RERA coming into effect, the project is exempted from registration under RERA.

In view of the above, the following order is passed.

ORDER

In view of the Joint Memo and Compromise Petition filed by both the Complainant and the Respondent, no further hearing is necessary and accordingly the complaint is hereby disposed of and treated as dismissed.


(Neelmani Raju)
Member
K-RERA


(D. Vishnuvardhana Reddy)
Member
K-RERA


(H.C. Kishore Chandra)
Chairman
K-RERA

NOT AN OFFICIAL COPY
