

ಕರ್ನಾಟಕ ರಿಯಲ್ ಎಸ್ಟೇಟ್ ನಿಯಂತ್ರಣ ಪ್ರಾಧಿಕಾರ, ಬೆಂಗಳೂರು
Karnataka Real Estate Regulatory Authority, Bengaluru
ನಂ: 1/14, ನೆಲಮಹಡಿ, ಸಿಲ್ವರ್ ಜ್ಯೂಬಿಲಿ ಬ್ಲಾಕ್, ಯುನಿಟಿ ಬಿಲ್ಡಿಂಗ್ ಹಿಂಭಾಗ, ಸಿ.ಎಸ್.ಐ.ಕಾಂಪೌಂಡ್,
3ನೇ ಕ್ರಾಸ್, ಮಿಷನ್ ರಸ್ತೆ, ಬೆಂಗಳೂರು-560027.

BEFORE ADJUDICATING OFFICER, RERA

BENGALURU, KARNATAKA

Presided by Sri K Palakshappa

Adjudicating Officer

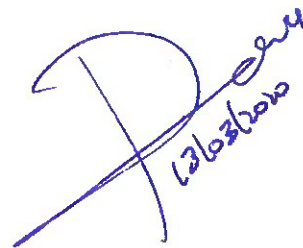
Date: 13th March 2020

Complaint No:	CMP/UR/190519/0003079
Complainant :	Shamanth Kumar B.N, #86, Aashirwad, 2 nd Main, Mallige Thota, Cholur Palya, Magadi Road, Bengaluru-560023
Opponents :	Roopa Infra Projects (India) Pvt. Ltd., #1129, 30 th Main, Poornapragna Nagara, Subramanyapura Post, Bengalure-560061.

J U D G E M E N T

1. Shamanth Kumar B.N, the complainant has filed this complaint against the unregistered project bearing No. CMP/UR/190519/0003079 under Section 31 of RERA Act against the project "Green Mile" developed by Roopa Infra Projects (India) Pvt. Ltd., seeking for the relief of refund of amount. The facts of the complaint is as follows:

I had booked two (2) sites in one of the layout of Roopa Infra Projects (India) Pvt Ltd called Green Mile. I had put in lot of efforts to own a good and rightful property. Therefore, I personally went and spoke



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to the owners of Roopa Infra project,(i.e) Mrs. Kanchana, Mr .Hanumanth Gowda and Mrs.Roopa, they had convinced me that they would register my property by 1 year at any cost with all amenities. Getting carried away by their words, I BOOKED TWO SITES IN THE YEAR 2013. Further, I waited patiently for 2 more years considering the MOU between Navanidhi Developers and Builders and Roopa Infra Projects and when I approached them they asked me to pay the 2nd Instalment (2016) to get my site registered within a year again. Later I learnt that there has been no development since the day I booked my site; I lost all my hopes and energy to hold back to this postponement. In 2018, I CANCELLED my booking and got back my money without interest, prior to this I wanted to file a case in RERA but I had lost hopes on everything around me, but after looking at the success stories achieved by RERA, so I saw new ray of hope that there would be some justice done for me and other like me who have put in their life time savings to own a dream home or property. I'm almost at the verge of retirement where I cannot afford to lose out on this last chance and cannot pour in more money to this. Me and my family have got this trouble. I request the authority to take action and help me ATLEAST get back the Interest at the prescribed rates.

Relief Sought from RERA : I need the booked site or Compounded Interest.

2. In pursuance of the summons issued by this authority the complainant has appeared in person and developer has not at all appeared.
3. Heard the arguments.
4. The point that arisen for my consideration was:
 - a. Are the complainant entitled for the relief as sought in his complaint?
 - b. If so what is the order?
5. My answer is affirmative for the following

Devi
18/03/2019

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REASONS

6. The complaint has been filed by Shamanth Kumar against unregistered project seeking for the relief of refund of his amount of Rs.8,00,000/- paid in the year 2013 towards purchase of two sites. It is the allegation of the complainant that project has not at all launched and therefore, he has filed this complaint for seeking refund of the amount. The complainant has produced receipt for having paid the amount of Rs.8,00,000/- to the developer. There are no any circumstances to dismiss the complaint.
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. The said 60 days be computed from the date of appearance of the parties. This complaint was filed on 19/05/2019. The developer has not at all appeared means the question of delay does not arise. Moreover after receipt of this complaint the Secretary has taken up the matter for registration of the project. Ultimately on 18/12/2019 this complaint is transferred from Secretary. With this observation, I proceed to pass the following.

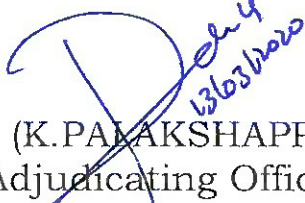
Devi
13/6/2020

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ORDER

- The complaint No CMP/UR/190519/0003079 is allowed.
- The developer is hereby directed to pay Rs. 8,00,000/- together with interest @ 9% P.A on the respective amount paid on respective date till 30/04/2017 and also @ 2% above MCLR of SBI as on today commencing from 01/05/2017 till the realization of entire amount.
- The developer is also directed to pay Rs. 5000/- as cost.
- Intimate the parties regarding the Order.
(Typed as per Dictates, Verified, Corrected and Pronounced on 13th March 2020)


(K.PALAKSHAPPA)
Adjudicating Officer