

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/190304/0002337
Complainant :	Neeraj Gupta, Apartment #OAK-205, SJR Park Vista Haralur Road, off Sarjapura Road, Bengaluru-560102
Opponents :	1. Prithi G 2. Thanuja 3. Mutha Reddy 4. Mutha Reddy 5. Rathish All Are R/At: Golden House, #820, 80 Ft. Road, 8 th Blopck, Kormangala, Bengaluru -560095

J U D G E M E N T

1. Neeraj Gupta, the complainant has filed this complaint bearing No. CMP/UR/190304/0002337 under Section 31 of RERA Act against the project "Golden Days" developed by Golden Gate Properties Limited, seeking for the relief of refund of amount. The facts of the complaint is as follows:

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13/03/2020

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I have made a payment of Rs 3 Lakhs on 19th March 2016 for project Name "Golden Days" but project never got launched and builder is not responding to calls/ emails.

Relief Sought from RERA : I need refund of amount along with compensation

2. In pursuance of the summons issued by this authority the complainant appeared in person on 14/01/2020 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

REASONS

6. The complaint has been filed by Neeraj Gupta against unregistered project seeking from the relief of refund of his amount of Rs.3,00,000/- paid on 19/03/2016 towards purchase of flat bearing No.A1-301 in 3rd floor measuring 1570 sq.ft., 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 made one Prithi G, Thanuja, Mutha Reddy and Rathish as respondents, but none have appeared. The complainant has produced receipt for having amount of Rs.3,00,000/- paid to the developer.

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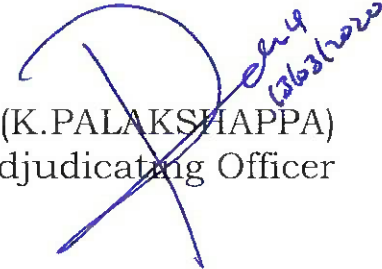
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7. Before passing the final order I would like to say that as per section 71(2) of RERA the complaint shall be disposed off by the Authority within 60 days from the date of receipt of the complaint. The said 60 days be computed from the date of appearance of the parties. This complaint was filed on 04/03/2019. 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.

ORDER

- The complaint No. CMP/UR/190304/0002337 is allowed.
 - The developer is hereby directed to pay Rs.3,00,000/- to the complainant along with simple interest from 19.03.2016 @9% on the said amount till 30.04.2017 and @ 2% above MCLR of SBI as on today commencing from April 2017 till the realisation 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

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