

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 BEFORE BENCH 6

PRESIDED BY SHRI G.R. REDDY, HON'BLE MEMBER

Dated 30th AUGUST 2024

COMPLAINT NO.: CMP/200402/0005486

COMPLAINANTS.....

**MRS. SHRUTI GAUTAM
NO. 611, WING 2 SANDEEP SQUARE
APARTMENT, GEAR SCHOOL ROAD,
OPP. EMBASSY TECHVILLAGE BACK
GATE, KADUBEESANAHALLI,
BANGALORE-560103.
(BY MR.M MOHAN KUMAR, ADVOCATE)**

V/S

RESPONDENT.....

**M/S MANTRI DEVELOPERS PVT LTD
MANTRI HOUSE, No.41,
VITTA MALYA ROAD,
BANGALORE-560001.**

(BY MR. SRINIVAS.R, ADVOCATE)

J U D G E M E N T

1. This complaint is filed under section 31 of the RERA Act against the project "Mantri Webcity 2A" developed by M/s Mantri Developers Pvt. Ltd., for the relief of interest on delay period till handover of the flat, execution of sale deed and possession.
2. This project has been registered with RERA vide registration No.PRM/KA/RERA/1251/310/PR/171015/000608.
3. This project is situated at, Hennur Main Road, Near Southern Asian Bible College, Bengaluru.

Brief facts of the complaint are as under:-

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4. The complainant and her husband have booked a flat bearing No.H-1805 in the 18th floor in the project "Mantri Webcity 2A" of respondent by entering into an agreement of sale and construction agreement both dated 11/11/2014 and have paid an amount of Rs.52,67,267/- (Rupees Fifty Two Lakhs Sixty Seven Thousand Two Hundred and Sixty Seven only) on various dates to the respondent. As per agreement of sale, the respondent was under obligation to handover possession of the said flat on before end of October 2016 with a grace period of six months i.e. latest by the end of April 2017. Though more than five years have been lapsed, the respondent has failed to complete the project as agreed and to handover the possession of the apartment to the complainants along with the Occupancy Certificate. Thereby causing financial hardship and mental agony to the complainants.
5. Due to the non completion of the said project the complainant is facing huge financial crisis. Hence, the complainant has approached this Authority to direct the respondent to pay interest on delay period, compensation for mental agony, completion of the project, execution of sale deed and to handover possession of the said flat. Hence, this complaint.
6. After registration of the complaint, in pursuance of the notice, the respondent has appeared before the Authority through its counsel and have filed their statement of objections as under:
7. The respondent has denied all the allegations made against him by the complainant as false. He contends that the claim made by the complainant is exorbitant. The complainants have failed to take note of the fact that the property price during 2014 increased and the cost of construction was doubled compared to the rates prevailing in 2014.

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The respondent submits that despite increase in rates, the developer has not increased any price.

8. The respondent admits that the said project could not be completed in time due to following reasons which were beyond their control. In view of the Order dated 4/5/2016 passed by the Hon'ble National Green Tribunal in O.A. No.222/2014 and Misc. Application Nos.596/2016 and 603/2016 the project was stopped as there was obstruction from the concerned authorities to continue the work in full-fledge till the Hon'ble Supreme Court clarified the same in Appeal Nos.4832/2015 and 4829/2015 vide its Order dated 5/3/2019. In pursuance of the Hon'ble NGT Order, the Government issued directions to the BBMP to check into the Sanction Plan granted to the developer. The respondent further submits that they have also obtained stay order dated 6/8/2020 in Writ Petition No.8689/2020 filed in the Hon'ble High Court of Karnataka with directions "to the BBMP not to interfere with the constructions activities with respect to the property in question, until further orders and that if the construction has not been put up in accordance with the sanctioned plan, the BBMP is at liberty to proceed in accordance with law."

9. The respondent submits that there was a Nala in Sy.No.42 and 44 at the time of obtaining the Sanction Plan and with the permission of the Authority, Nala was shifted to the edge of the property in Sy.No.42 and 44. In view of the above the construction work in the project was stopped from 4/5/2016 to 19/3/2019 and the work was resumed in April 2019. Again Covid-19 pandemic stalled the entire developmental work. Despite the above constraints, the respondent has handed over 128 apartments out of 334 apartments and around 120 sale deeds have already been registered in favour of the allottees subject to obtaining occupancy certificate from BBMP, which will be applied in November 2020.

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10. The respondent submits that the complainant has failed to pay the balance amount to the respondent, which is also the cause for the delay in completion of the project in time.
11. The respondent submit that as per clause 8 of the agreement of sale delay compensation:
 - a) In case of delay in delivery of the apartment beyond the grace period for reasons other than force majeure, the vendor shall be the purchaser/s delay compensation calculated @ Rs.6/- per sq.ft per month till the date of "intimation of handing over".
 - b) The delay compensation wherever payable will be paid to the purchaser/s only at the time of registration or subsequently.
12. The respondent submits photographs showing the status of the project and stage-wise status for the perusal of the Authority.
13. In view of the above, the delay period interest claimed by the complainant is not just and the respondent cannot be put to further loss due to the aforesaid reasons and prays the Authority to dismiss the complaint.
14. In support of their defence, the respondent has produced copies of documents such as Order dated 4/5/2016 of the Hon'ble National Green Tribunal in O.A. No.222/2014, Order dated 5/3/2019 of the Hon'ble Supreme Court in Civil Appeal Nos.4832/2015 and 4829/2015, Government letter dated 17/5/2016, Stay Order dated 6/8/2020 of the Hon'ble High Court of Karnataka in W.P.No.8689/2020 (KLR-RES), photographs showing present status of the project, stage-wise status of the project.
15. In support of their claim, the complainant has produced documents such as copies of Agreement of Sale, Payment receipts, and Memo of calculation for interest on delay period as on 21-06-2023.

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16. This matter was heard on 19-07-2022, 17-08-2022, 07-09-2022, 09-02-2023, 27-04-2023, 22-02-2023, 07-03-2024, 06-06-2024, and 06-08-2024.

17. Heard arguments of both sides.

18. **On the above averments, the following points would arise for my consideration:-**

1. Whether the complainant is entitled for the relief claimed?
2. What order?

19. **My answer to the above points are as under:-**

1. In the Affirmative.
2. As per final order for the following

REASONS

20. **My answer to point No.1:-** It is undisputed that the respondent has failed to handover possession of the apartment to the complainant herein within agreed time even after receiving substantial sale consideration amount. As per the terms of agreement of sale between the parties, the possession of the apartment had to be handed over before the end of October 2016 with a grace period of six months i.e. latest by the end of April 2017. When the respondent has failed to handover possession as agreed by them, the complainants have approached this forum for direction to the respondent for interest on delay period and compensation for mental agony.

21. From the averments of the complaint and the copies of agreement between the parties, it is obvious that complainant has already paid substantial sale consideration amount to the respondent. Having accepted the said amount and failure to keep up promise to

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handover possession of the apartment even after six years, certainly entitles the complainants herein for interest on delay period.

22. The agreement of sale is a key instrument which binds the parties in a contractual relation to be enforceable in accordance with law, it is quite necessary that it shall be free from any ambiguity and vagueness. As per the terms of agreement of sale, the respondent was supposed to complete the said project and to handover the possession of said flat to the complainant by the end of April 2017. Further, as per agreement of sale dated 11-11-2014 the respondent is liable to complete the project by providing all the amenities as agreed, to execute the sale deed of the said flat in favour of the complainant after receipt of balance sale consideration if any and to handover possession of the said flat to the complainant.

23. The complainant had claimed Rs.42,87,247/- (Rupees Forty Two Lakh Eighty Seven Thousand Two Hundred and Forty Seven only) as interest on delay period vide her memo of calculation as on 21-06-2023 calculated from 31-03-2017 to 21-06-2023. Despite opportunities were given, the respondent has not filed his memo of calculation. Having regard to all these aspects, this Authority concludes that the complainants are entitled for interest on delay period from 31-03-2017 to 21-06-2023 and later on.

24. Further the complainants have sought for compensation for mental agony, which does not come under the jurisdiction of this Authority and, as such, the same is not considered.

25. Therefore, it is incumbent upon the respondent to pay interest for the principle amount for the delay period which is determined as under:

Payment Details			
S.NO	TYPE	AMOUNT	DATE



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1	TOTAL PAYMENT TILL POSSESSION AS PER AGREEMENT	62,32,201	31-03-2017
2	SUBSEQUENT PAYMENT 1	7,802	16-02-2018
3	SUBSEQUENT PAYMENT 2	7,71,323	21-03-2018
4	TOTAL PRINCIPLE AMOUNT	70,11,326	
5	TOTAL DELAYED INTEREST as on 21/06/2023	42,87,427	

Interest Calculation						
S.NO	FROM DATE	TO DATE	NO. OF DAYS	MCLR RATE	INTEREST RATE	INTEREST
INTEREST CALCULATION FOR AMOUNT PAID TILL POSSESSION 62,32,201						
1	31-03-2017	30-04-2017	30		9	46,101
2	30-04-2017	30-05-2017	30	8.7	10.7 as on 15-05-2023	54,809
3	30-05-2017	30-06-2017	31	8.15	10.15 as on 01-05-2017	53,724
4	30-06-2017	30-07-2017	30	8.15	10.15 as on 01-06-2017	51,991
5	30-07-2017	30-08-2017	31	8.15	10.15 as on 01-07-2017	53,724
6	30-08-2017	30-09-2017	31	8.15	10.15 as on 01-08-2017	53,724
7	30-09-2017	30-10-2017	30	8.15	10.15 as on 01-09-2017	51,991
8	30-10-2017	30-11-2017	31	8.15	10.15 as on 01-10-2017	53,724
9	30-11-2017	30-12-2017	30	8.1	10.1 as on 01-11-2017	51,735
10	30-12-2017	30-01-2018	31	8.1	10.1 as on 01-12-2017	53,460
11	30-01-2018	28-02-2018	29	8.1	10.1 as on 01-01-2018	50,011
12	28-02-2018	28-03-2018	28	8.1	10.1 as on 01-02-2018	48,286
13	28-03-2018	28-04-2018	31	8.35	10.35 as on 01-03-2018	54,783
14	28-04-2018	28-05-2018	30	8.35	10.35 as on 01-04-2018	53,016
15	28-05-2018	28-06-2018	31	8.35	10.35 as on 01-05-2018	54,783
16	28-06-2018	28-07-2018	30	8.45	10.45 as on 01-06-2018	53,528
17	28-07-2018	28-08-2018	31	8.45	10.45 as on 01-07-2018	55,312
18	28-08-2018	28-09-2018	31	8.45	10.45 as on 01-08-2018	55,312
19	28-09-2018	28-10-2018	30	8.65	10.65 as on 01-09-2018	54,553
20	28-10-2018	28-11-2018	31	8.7	10.7 as on 01-10-2018	56,636

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21	28-11-2018	28-12-2018	30	8.7	10.7 as on 01-11-2018	54,809
22	28-12-2018	28-01-2019	31	8.75	10.75 as on 10-12-2018	56,900
23	28-01-2019	28-02-2019	31	8.75	10.75 as on 10-01-2019	56,900
24	28-02-2019	28-03-2019	28	8.75	10.75 as on 10-02-2019	51,394
25	28-03-2019	28-04-2019	31	8.75	10.75 as on 10-03-2019	56,900
26	28-04-2019	28-05-2019	30	8.7	10.7 as on 10-04-2019	54,809
27	28-05-2019	28-06-2019	31	8.65	10.65 as on 10-05-2019	56,371
28	28-06-2019	28-07-2019	30	8.65	10.65 as on 10-06-2019	54,553
29	28-07-2019	28-08-2019	31	8.6	10.6 as on 10-07-2019	56,106
30	28-08-2019	28-09-2019	31	8.45	10.45 as on 10-08-2019	55,312
31	28-09-2019	28-10-2019	30	8.35	10.35 as on 10-09-2019	53,016
32	28-10-2019	28-11-2019	31	8.25	10.25 as on 10-10-2019	54,254
33	28-11-2019	28-12-2019	30	8.2	10.2 as on 10-11-2019	52,248
34	28-12-2019	28-01-2020	31	8.2	10.2 as on 10-12-2019	53,989
35	28-01-2020	28-02-2020	31	8.2	10.2 as on 10-01-2020	53,989
36	28-02-2020	28-03-2020	29	8.15	10.15 as on 10-02-2020	50,258
37	28-03-2020	28-04-2020	31	8.05	10.05 as on 10-03-2020	53,195
38	28-04-2020	28-05-2020	30	7.7	9.7 as on 10-04-2020	49,686
39	28-05-2020	28-06-2020	31	7.55	9.55 as on 10-05-2020	50,549
40	28-06-2020	28-07-2020	30	7.3	9.3 as on 10-06-2020	47,637
41	28-07-2020	28-08-2020	31	7.3	9.3 as on 10-07-2020	49,225
42	28-08-2020	28-09-2020	31	7.3	9.3 as on 10-08-2020	49,225
43	28-09-2020	28-10-2020	30	7.3	9.3 as on 10-09-2020	47,637
44	28-10-2020	28-11-2020	31	7.3	9.3 as on 10-10-2020	49,225
45	28-11-2020	28-12-2020	30	7.3	9.3 as on 10-11-2020	47,637
46	28-12-2020	28-01-2021	31	7.3	9.3 as on 10-12-2020	49,225
47	28-01-2021	28-02-2021	31	7.3	9.3 as on 10-01-2021	49,225
48	28-02-2021	28-03-2021	28	7.3	9.3 as on 10-02-2021	44,462
49	28-03-2021	28-04-2021	31	7.3	9.3 as on 10-03-2021	49,225
50	28-04-2021	28-05-2021	30	7.3	9.3 as on 10-04-2021	47,637
51	28-05-2021	28-06-2021	31	7.3	9.3 as on 15-05-2021	49,225
52	28-06-2021	28-07-2021	30	7.3	9.3 as on 15-06-2021	47,637
53	28-07-2021	28-08-2021	31	7.3	9.3 as on 15-07-2021	49,225

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54	28-08-2021	28-09-2021	31	7.3	9.3 as on 15-08-2021	49,225
55	28-09-2021	28-10-2021	30	7.3	9.3 as on 15-09-2021	47,637
56	28-10-2021	28-11-2021	31	7.3	9.3 as on 15-10-2021	49,225
57	28-11-2021	28-12-2021	30	7.3	9.3 as on 15-11-2021	47,637
58	28-12-2021	28-01-2022	31	7.3	9.3 as on 15-12-2021	49,225
59	28-01-2022	28-02-2022	31	7.3	9.3 as on 15-01-2022	49,225
60	28-02-2022	28-03-2022	28	7.3	9.3 as on 15-02-2022	44,462
61	28-03-2022	28-04-2022	31	7.3	9.3 as on 15-03-2022	49,225
62	28-04-2022	28-05-2022	30	7.4	9.4 as on 15-04-2022	48,150
63	28-05-2022	28-06-2022	31	7.5	9.5 as on 15-05-2022	50,284
64	28-06-2022	28-07-2022	30	7.7	9.7 as on 15-06-2022	49,686
65	28-07-2022	28-08-2022	31	7.8	9.8 as on 15-07-2022	51,872
66	28-08-2022	28-09-2022	31	8	10.0 as on 15-08-2022	52,931
67	28-09-2022	28-10-2022	30	8	10.0 as on 15-09-2022	51,223
68	28-10-2022	28-11-2022	31	8.25	10.25 as on 15-10-2022	54,254
69	28-11-2022	28-12-2022	30	8.35	10.35 as on 15-11-2022	53,016
70	28-12-2022	28-01-2023	31	8.6	10.6 as on 15-12-2022	56,106
71	28-01-2023	28-02-2023	31	8.6	10.6 as on 15-01-2023	56,106
72	28-02-2023	28-03-2023	28	8.7	10.7 as on 15-02-2023	51,155
73	28-03-2023	28-04-2023	31	8.7	10.7 as on 15-03-2023	56,636
74	28-04-2023	28-05-2023	30	8.7	10.7 as on 15-04-2023	54,809
75	28-05-2023	28-06-2023	24	8.7	10.7 as on 15-05-2023	43,847
INTEREST CALCULATION FOR SUBSEQUENT PAYMENT 7,802						
1	16-02-2018	16-03-2018	28	8.1	10.1 as on 01-02-2018	60
2	16-03-2018	16-04-2018	31	8.35	10.35 as on 01-03-2018	68
3	16-04-2018	16-05-2018	30	8.35	10.35 as on 01-04-2018	66
4	16-05-2018	16-06-2018	31	8.35	10.35 as on 01-05-2018	68
5	16-06-2018	16-07-2018	30	8.45	10.45 as on 01-06-2018	67
6	16-07-2018	16-08-2018	31	8.45	10.45 as on 01-07-2018	69
7	16-08-2018	16-09-2018	31	8.45	10.45 as on 01-08-2018	69
8	16-09-2018	16-10-2018	30	8.65	10.65 as on 01-09-2018	68
9	16-10-2018	16-11-2018	31	8.7	10.7 as on 01-10-2018	70
10	16-11-2018	16-12-2018	30	8.7	10.7 as on 01-11-2018	68

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11	16-12-2018	16-01-2019	31	8.75	10.75 as on 10-12-2018	71
12	16-01-2019	16-02-2019	31	8.75	10.75 as on 10-01-2019	71
13	16-02-2019	16-03-2019	28	8.75	10.75 as on 10-02-2019	64
14	16-03-2019	16-04-2019	31	8.75	10.75 as on 10-03-2019	71
15	16-04-2019	16-05-2019	30	8.7	10.7 as on 10-04-2019	68
16	16-05-2019	16-06-2019	31	8.65	10.65 as on 10-05-2019	70
17	16-06-2019	16-07-2019	30	8.65	10.65 as on 10-06-2019	68
18	16-07-2019	16-08-2019	31	8.6	10.6 as on 10-07-2019	70
19	16-08-2019	16-09-2019	31	8.45	10.45 as on 10-08-2019	69
20	16-09-2019	16-10-2019	30	8.35	10.35 as on 10-09-2019	66
21	16-10-2019	16-11-2019	31	8.25	10.25 as on 10-10-2019	67
22	16-11-2019	16-12-2019	30	8.2	10.2 as on 10-11-2019	65
23	16-12-2019	16-01-2020	31	8.2	10.2 as on 10-12-2019	67
24	16-01-2020	16-02-2020	31	8.2	10.2 as on 10-01-2020	67
25	16-02-2020	16-03-2020	29	8.15	10.15 as on 10-02-2020	62
26	16-03-2020	16-04-2020	31	8.05	10.05 as on 10-03-2020	66
27	16-04-2020	16-05-2020	30	7.7	9.7 as on 10-04-2020	62
28	16-05-2020	16-06-2020	31	7.55	9.55 as on 10-05-2020	63
29	16-06-2020	16-07-2020	30	7.3	9.3 as on 10-06-2020	59
30	16-07-2020	16-08-2020	31	7.3	9.3 as on 10-07-2020	61
31	16-08-2020	16-09-2020	31	7.3	9.3 as on 10-08-2020	61
32	16-09-2020	16-10-2020	30	7.3	9.3 as on 10-09-2020	59
33	16-10-2020	16-11-2020	31	7.3	9.3 as on 10-10-2020	61
34	16-11-2020	16-12-2020	30	7.3	9.3 as on 10-11-2020	59
35	16-12-2020	16-01-2021	31	7.3	9.3 as on 10-12-2020	61
36	16-01-2021	16-02-2021	31	7.3	9.3 as on 10-01-2021	61
37	16-02-2021	16-03-2021	28	7.3	9.3 as on 10-02-2021	55
38	16-03-2021	16-04-2021	31	7.3	9.3 as on 10-03-2021	61
39	16-04-2021	16-05-2021	30	7.3	9.3 as on 10-04-2021	59
40	16-05-2021	16-06-2021	31	7.3	9.3 as on 15-05-2021	61
41	16-06-2021	16-07-2021	30	7.3	9.3 as on 15-06-2021	59
42	16-07-2021	16-08-2021	31	7.3	9.3 as on 15-07-2021	61
43	16-08-2021	16-09-2021	31	7.3	9.3 as on 15-08-2021	61

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44	16-09-2021	16-10-2021	30	7.3	9.3 as on 15-09-2021	59
45	16-10-2021	16-11-2021	31	7.3	9.3 as on 15-10-2021	61
46	16-11-2021	16-12-2021	30	7.3	9.3 as on 15-11-2021	59
47	16-12-2021	16-01-2022	31	7.3	9.3 as on 15-12-2021	61
48	16-01-2022	16-02-2022	31	7.3	9.3 as on 15-01-2022	61
49	16-02-2022	16-03-2022	28	7.3	9.3 as on 15-02-2022	55
50	16-03-2022	16-04-2022	31	7.3	9.3 as on 15-03-2022	61
51	16-04-2022	16-05-2022	30	7.4	9.4 as on 15-04-2022	60
52	16-05-2022	16-06-2022	31	7.5	9.5 as on 15-05-2022	62
53	16-06-2022	16-07-2022	30	7.7	9.7 as on 15-06-2022	62
54	16-07-2022	16-08-2022	31	7.8	9.8 as on 15-07-2022	64
55	16-08-2022	16-09-2022	31	8	10.0 as on 15-08-2022	66
56	16-09-2022	16-10-2022	30	8	10.0 as on 15-09-2022	64
57	16-10-2022	16-11-2022	31	8.25	10.25 as on 15-10-2022	67
58	16-11-2022	16-12-2022	30	8.35	10.35 as on 15-11-2022	66
59	16-12-2022	16-01-2023	31	8.6	10.6 as on 15-12-2022	70
60	16-01-2023	16-02-2023	31	8.6	10.6 as on 15-01-2023	70
61	16-02-2023	16-03-2023	28	8.7	10.7 as on 15-02-2023	64
62	16-03-2023	16-04-2023	31	8.7	10.7 as on 15-03-2023	70
63	16-04-2023	16-05-2023	30	8.7	10.7 as on 15-04-2023	68
64	16-05-2023	16-06-2023	31	8.7	10.7 as on 15-05-2023	70
65	16-06-2023	21-06-2023	5	8.7	10.7 as on 15-05-2023	11
INTEREST CALCULATION FOR SUBSEQUENT PAYMENT 7,71,323						
1	21-03-2018	21-04-2018	31	8.35	10.35 as on 01-03-2018	6,780
2	21-04-2018	21-05-2018	30	8.35	10.35 as on 01-04-2018	6,561
3	21-05-2018	21-06-2018	31	8.35	10.35 as on 01-05-2018	6,780
4	21-06-2018	21-07-2018	30	8.45	10.45 as on 01-06-2018	6,624
5	21-07-2018	21-08-2018	31	8.45	10.45 as on 01-07-2018	6,845
6	21-08-2018	21-09-2018	31	8.45	10.45 as on 01-08-2018	6,845
7	21-09-2018	21-10-2018	30	8.65	10.65 as on 01-09-2018	6,751
8	21-10-2018	21-11-2018	31	8.7	10.7 as on 01-10-2018	7,009

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

9	21-11-2018	21-12-2018	30	8.7	10.7 as on 01-11-2018	6,783
10	21-12-2018	21-01-2019	31	8.75	10.75 as on 10-12-2018	7,042
11	21-01-2019	21-02-2019	31	8.75	10.75 as on 10-01-2019	7,042
12	21-02-2019	21-03-2019	28	8.75	10.75 as on 10-02-2019	6,360
13	21-03-2019	21-04-2019	31	8.75	10.75 as on 10-03-2019	7,042
14	21-04-2019	21-05-2019	30	8.7	10.7 as on 10-04-2019	6,783
15	21-05-2019	21-06-2019	31	8.65	10.65 as on 10-05-2019	6,976
16	21-06-2019	21-07-2019	30	8.65	10.65 as on 10-06-2019	6,751
17	21-07-2019	21-08-2019	31	8.6	10.6 as on 10-07-2019	6,944
18	21-08-2019	21-09-2019	31	8.45	10.45 as on 10-08-2019	6,845
19	21-09-2019	21-10-2019	30	8.35	10.35 as on 10-09-2019	6,561
20	21-10-2019	21-11-2019	31	8.25	10.25 as on 10-10-2019	6,714
21	21-11-2019	21-12-2019	30	8.2	10.2 as on 10-11-2019	6,466
22	21-12-2019	21-01-2020	31	8.2	10.2 as on 10-12-2019	6,681
23	21-01-2020	21-02-2020	31	8.2	10.2 as on 10-01-2020	6,681
24	21-02-2020	21-03-2020	29	8.15	10.15 as on 10-02-2020	6,220
25	21-03-2020	21-04-2020	31	8.05	10.05 as on 10-03-2020	6,583
26	21-04-2020	21-05-2020	30	7.7	9.7 as on 10-04-2020	6,149
27	21-05-2020	21-06-2020	31	7.55	9.55 as on 10-05-2020	6,256
28	21-06-2020	21-07-2020	30	7.3	9.3 as on 10-06-2020	5,895
29	21-07-2020	21-08-2020	31	7.3	9.3 as on 10-07-2020	6,092
30	21-08-2020	21-09-2020	31	7.3	9.3 as on 10-08-2020	6,092
31	21-09-2020	21-10-2020	30	7.3	9.3 as on 10-09-2020	5,895
32	21-10-2020	21-11-2020	31	7.3	9.3 as on 10-10-2020	6,092
33	21-11-2020	21-12-2020	30	7.3	9.3 as on 10-11-2020	5,895
34	21-12-2020	21-01-2021	31	7.3	9.3 as on 10-12-2020	6,092
35	21-01-2021	21-02-2021	31	7.3	9.3 as on 10-01-2021	6,092
36	21-02-2021	21-03-2021	28	7.3	9.3 as on 10-02-2021	5,502
37	21-03-2021	21-04-2021	31	7.3	9.3 as on 10-03-2021	6,092
38	21-04-2021	21-05-2021	30	7.3	9.3 as on 10-04-2021	5,895

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

39	21-05-2021	21-06-2021	31	7.3	9.3 as on 15-05-2021	6,092
40	21-06-2021	21-07-2021	30	7.3	9.3 as on 15-06-2021	5,895
41	21-07-2021	21-08-2021	31	7.3	9.3 as on 15-07-2021	6,092
42	21-08-2021	21-09-2021	31	7.3	9.3 as on 15-08-2021	6,092
43	21-09-2021	21-10-2021	30	7.3	9.3 as on 15-09-2021	5,895
44	21-10-2021	21-11-2021	31	7.3	9.3 as on 15-10-2021	6,092
45	21-11-2021	21-12-2021	30	7.3	9.3 as on 15-11-2021	5,895
46	21-12-2021	21-01-2022	31	7.3	9.3 as on 15-12-2021	6,092
47	21-01-2022	21-02-2022	31	7.3	9.3 as on 15-01-2022	6,092
48	21-02-2022	21-03-2022	28	7.3	9.3 as on 15-02-2022	5,502
49	21-03-2022	21-04-2022	31	7.3	9.3 as on 15-03-2022	6,092
50	21-04-2022	21-05-2022	30	7.4	9.4 as on 15-04-2022	5,959
51	21-05-2022	21-06-2022	31	7.5	9.5 as on 15-05-2022	6,223
52	21-06-2022	21-07-2022	30	7.7	9.7 as on 15-06-2022	6,149
53	21-07-2022	21-08-2022	31	7.8	9.8 as on 15-07-2022	6,419
54	21-08-2022	21-09-2022	31	8	10.0 as on 15-08-2022	6,550
55	21-09-2022	21-10-2022	30	8	10.0 as on 15-09-2022	6,339
56	21-10-2022	21-11-2022	31	8.25	10.25 as on 15-10-2022	6,714
57	21-11-2022	21-12-2022	30	8.35	10.35 as on 15-11-2022	6,561
58	21-12-2022	21-01-2023	31	8.6	10.6 as on 15-12-2022	6,944
59	21-01-2023	21-02-2023	31	8.6	10.6 as on 15-01-2023	6,944
60	21-02-2023	21-03-2023	28	8.7	10.7 as on 15-02-2023	6,331
61	21-03-2023	21-04-2023	31	8.7	10.7 as on 15-03-2023	7,009
62	21-04-2023	21-05-2023	30	8.7	10.7 as on 15-04-2023	6,783
63	21-05-2023	21-06-2023	31	8.7	10.7 as on 15-05-2023	7,009
					TOTAL DELAYED INTEREST as on 21/06/2023	42,87,427

26. Accordingly point raised above is answered in the Affirmative.

27. **My answer to point No. 2:-** In view of the above discussion, I proceed to pass the following order:-

ORDER

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

1. In exercise of the powers conferred under Section 31 of the Real Estate (Regulation and Development) Act, 2016, the complaint bearing **No.CMP/200402/0005486** is hereby allowed.
2. The Respondent is directed to pay the amount of **Rs.42,87,427/- (Rupees Forty Two Lakhs Eighty Seven Thousand Four Hundred and Twenty Seven only) towards delay period interest** calculated at MCLR + 2% from 31-03-2017 till 21-06-2023 to the complainant within 60 days from the date of this order.
3. The interest due from 22-06-2023 up to the date of final payment will be calculated likewise and paid to the complainants.
4. Further, the respondent is directed to register the sale deed of flat bearing no.H-1805 in the project 'Mantri Webcity 2A' situated at Hennur Main Road, Near Southern Asian Bible College, Bengaluru in favour of complainant and her husband as per agreement of sale dated 11-11-2014 after receipt of balance sale consideration if any and to handover possession of the said flat in their favour within 60 days from the date of this order.
5. The complainant is at liberty to initiate action for recovery and execution of sale deed with possession in accordance with law, if the respondent fails to comply with the order of this Authority.

No order as to the costs.

(G.R Reddy)
Member, KRERA