



**KERALA REAL ESTATE REGULATORY AUTHORITY
THIRUVANANTHAPURAM**

Complaint No. 77/2022

Present: Sri. P. H Kurian, Chairman
Smt. Preetha P Menon, Member

Dated 19th July, 2022

Complainants

1. Manoj Jose
Nellarikayil House,
Thambalakaddu P O,
Ponkunnam,
Kanjirapally Village, Kottayam
2. Mrs. Julius Manoj
Nellarikayil House,
Thambalakaddu P O,
Ponkunnam,
Kanjirapally Village, Kottayam

[Adv. P O Thomas Puthussery]

Respondents

1. Nest Infratech (M/s Nest Realities India Pvt Ltd),
COMPASS, 5th Floor, NH-47, By-pass,
Near Vyshali Bus Stop, Chakkaraparambu,
Cochin- 682032 represented by its Managing Director.
2. Mr. F M Shamier Marickar
A-6, Kent Nalukettu,
Chakkaraparambu, Vennala P O, Edappally South,
Ernakulam- 682028



3. Javad K Hassan,
Management Consultant, Makar Manzil, Aluva Kara,
Aluva East Village, Ernakulam-683101.
4. Nishi Jahangir,
Makar Manzil, Thynothil Lane, Aluva,
Ernakulam-683 101
5. Jehangir Rowther,
Makar Manzil,
Thynothil Lane, Aluva, Ernakulam- 683 101
6. Althaf Jehangir
Makar Manzil,
Thynothil Lane, Aluva, Ernakulam- 683 101
7. Kuttymoosa Shamsudin
Director, M/s Nest Realities India Pvt Ltd,
Compass, 5th Floor, N H 47,
By- Pass, Chakkaraparambu, Near Vyshali Bus Stop,
Cochin, Kerala- 682032

[Adv. Ranjith Kumar]

The above Complaint came up for a virtual hearing on 20/06/2022. The counsel for the Complainants Puthusseri Thomas and the Counsel for the Respondents Adv. Ranjith Kumar attended the hearing.

ORDER

1. A common order dated 31/03/2022 was passed by the Authority regarding the Completion of the same project, 'NEST JKH SIGNATURE' developed by the Respondents herein in Complaint Nos. 116/2021,128/2021,182/2021 &307/2021 filed by the allottees of the Project in which the Authority directed to the Respondents/Promoters a)to complete and hand over the apartments to the Complainants after completing the whole project 'Nest JKH signature', in all respects as committed/promised to the complainants,



along with all the amenities and facilities as agreed as per the agreements entered into with them and with all the mandatory sanctions/approvals required to be received from the Authorities concerned, **on or before 30.12.2022** without fail. The Respondents were also directed to complete the executions of sale deeds in favour of the Complainants within the said time frame and in the event of any non-compliance of this order by the Respondent to pay a penalty of Rs. 10,000/- per day from the date mentioned above till compliance of the direction, as per sec 63 of the Act.

2. As the Complainants in the above Complaint No. 77/22 which came up for hearing today is also an allottee in the same project 'Nest JKH signature', the above-mentioned common order dated 31/03/2021 shall be applicable to the Complainants herein also.

This order is issued without prejudice to the right of the Complainants to approach the Adjudicating Officer of the Authority with claims for compensation in accordance with the provisions of the Act and Rules, for any loss or damage sustained to them due to the default on the part of the Respondents and this Authority with claims of interest for delay in handing over the apartment as promised.

Sd/-

Smt. Preetha P Menon
Member

Sd/-

Sri. P H Kurian
Chairman

/True Copy/Forwarded By/Order/



Secretary (Legal)

