



KERALA REAL ESTATE REGULATORY AUTHORITY
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Present: Smt. Preetha P Menon

No. T1/OL/EX/98/2023

Dated 24th May, 2024.

Applicant: M/s. Sowparnika Projects and Infrastructure Pvt Ltd,
No. 750, 1st Main Road, Aces Layout,
Kaundalahalli,
Bangalore, Karnataka – 560 037.

ORDER

1. The Kerala Real Estate Regulatory Authority had issued registration for the real estate project '**Sowparnika River View Gardens Phase 5**' promoted by **M/s. Sowparnika Projects and Infrastructure Pvt Ltd**, as per Certificate No. **K-RERA/PRJ/147/2021** dated **29.03.2021** as provided under Section 3 of the Real Estate (Regulation and Development) Act, 2016 (Hereinafter referred to as 'the Act, 2016'). The extension of registration for six months notified under General Order No. K-RERA/T3/102/2020 dated 15.05.2020, in connection with the Covid pandemic was added in the case of this project also at the time of initial registration and hence the registration was valid up to 30.06.2022. This has been extended for a further period of six months notified under General Order No. K-RERA/T3/102/2020 dated 19.07.2021, issued in connection with the Covid pandemic and the registration extended up to 31.12.2022. As per the order No. T1/OL/EX/114/2022 dated 19.01.2023, the validity of the registration has been further extended up to 31.12.2023.

2. Now the promoter has filed an application dated 29.12.2023, for an extension of registration of the project for one year from 01.01.2024, in Form No. E with the required fee prescribed under the law. As per the proviso to Section 6 of the Act, 2016, the Authority may in reasonable circumstances, without default on the part of the promoter, based on the facts of each case, and for reasons to be recorded in writing extend the registration granted to the project for such time as it considers necessary, which shall, in the aggregate, not exceed one year.
3. Accordingly, a notice dated 02.04.2024 was issued to the promoter for a hearing on 30.04.2024 for which Shri. Pranav and Shri James Thomas, the Representative and Regional Head of the promoter company respectively, attended the hearing. They have submitted the special circumstances that necessitated the extension of the registration. The project has been fully completed. The Fire NOC and the clearance of the Pollution Control Board in respect of the project have been received. They have applied for the Occupancy Certificate and the same is pending. Even though all 50 units are sold, the association of allottees has not been formed so far, as stipulated under Section 11(4) (e) of the Act, 2016, despite selling majority of units in the project.
4. After hearing the promoter and considering the above facts and circumstances of the case, the Authority by exercising the powers conferred under section 6 of the Act, 2016 read with rule 8 of the Kerala Real Estate (Regulation and Development) Rules, 2018, has decided to extend the registration of the real estate project '**Sowparnika River View Gardens Phase 5**' for one year from 01.01.2024 to 31.12.2024 subject to the following conditions:-

- i. The extended period shall not in any way affect the rights of allottees envisaged in the Act, 2016, and the terms and conditions of the agreements executed between the promoter and allottees.
- ii. The promoter shall issue notices to all allottees and enable the formation of an Association of allottees under Section 11(4) (e) of the Act, 2016 within thirty days from the date of receipt of this order.
- iii. The promoter shall complete the project with all the amenities agreed to the allottees within the extended period.
- iv. The promoter shall also transfer / hand over the common area and documents pertaining to the project to the Association of Allottees, after completion of the project as promised to the allottees as per the agreements executed with them, as prescribed under Section 17 of the Act, 2016.
- v. The occupancy certificate shall be obtained within the extended period and shall upload the same on the web page concerned and after completion of the project as mentioned above, Form No. 6 shall be uploaded by the promoter on the web portal of the Authority.

Sd/-

Preetha P Menon
Member

Copy to: 1. To the web page of the project.
2. To Stock File.

True Copy/Forwarded by/Order

Secretary (Technical & Administration)



28/8/24

