



GOA REAL ESTATE REGULATORY AUTHORITY

101, 1st Floor, 'SPACES' Building, Plot No. 40, EDC Patto Plaza, Panaji 403 001 Goa
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F.No:3/RERA/Complaint(333)/2022/ 539

Date: 14/06/2023

Peter Fernandes,

H. No. 1403, Bamon Vaddo,
Anjuna, Bardez, Goa-403509.

.....Complainant

V/s

Kara Homes,

A partnership firm registered under
The Indian Partnership Act, 1932,
With local office at H.No. 153/6, Zor Vaddo,
Anjuna, Bardez, North Goa-403509 and
Registered office at E-5,
Kailash Colony, Second Floor,
New Delhi-110048.

Represented by its partners

1. Mr. Kewal Garg, son of Mr. Chiranji
Lal Garg, aged 53 years, and

2. Mr. Shikhir Dhingra, aged 33 years,
Both Indian Nationals, having office at E-5,
Kailash Colony, Second Floor,
New Delhi-110048.

.....Respondent

ORDER **(Dated 14.06.2023)**

This order disposes of the application filed by the complainant in the aforesaid complaint and in the said application the complainant has prayed this

Authority to direct the respondent to comply with the order dated 15.05.2023 and enforce the said order by taking action against the respondent in terms of the RERA Act and Rules or in the alternative to take suo moto action against the respondent and ensure compliance of the order dated 15.05.2023.

2. In the order dated 15.05.2023 passed by this Authority it was interalia held that “it is made clear herein that no right is given to the complainant to file any application for execution of the instant order since the complainant has no locus standi to file the present complaint”. In spite of the aforesaid clear directions and order of this Authority, the complainant in violation of the aforesaid order dated 15.05.2023 has moved the instant application for execution of the said order dated 15.05.2023. It is worth mentioning that it is not brought to the notice of this Authority that the complainant has challenged the aforesaid order dated 15.05.2023 before the Appellate Tribunal. Without challenging the aforesaid order dated 15.05.2023 and getting the same set aside, the complainant by violating the said order moved the instant application for execution of the said order against the respondent. The instant application therefore is not maintainable in view of the aforesaid order dated 15.05.2023 wherein it was clearly mentioned that the complainant who has no locus standi to file the said complaint is not given right to file any application for the execution of the said order.



3. It is seen that the respondent after the order dated 15.05.2023 passed by this Authority, in compliance thereof, has uploaded the order dated 04.01.2023 passed by the Civil Court on the injunction application. However nothing is produced on record by the complainant in support of his statement in the application that the complainant has filed appeal before the Hon'ble High Court challenging the order dated 04.01.2023 passed by the Civil Court rejecting the injunction application.
4. The instant application is therefore rejected being not maintainable, however, suo moto action will be taken by this Authority if required, against the respondent to ensure compliance of the order dated 15.05.2023.

V. Jetley 17/6/23
(Vijaya D. Pol)
Member, Goa RERA