HC-KAR

CNR: KAHC010090122024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA

WRIT PETITION NO. 5177 OF 2024 (GM-RES)

BETWEEN:

M/S SJR PIRME CORPORATION PVT. LTD.
A COMPANY REGISTERED
UNDER PROVISIONS OF
THE COMPANIES ACT, 1956
THE HUB, NO.8/2 AND 9
AMBALIPURA, BELLANDUR
BANGALORE – 560 103
REPRESENTED BY ITS
AUTHORIZED SIGNATORY
MS. KOMALA K. REDDY
LEGAL HEAD.

…PETITIONER

(BY SRI JOSEPH ANTHONY, ADVOCATE)

AND:

Digitally signed by PAVITHRA B
Location: HIGH COURT OF KARNATAKA

1. KARNATAKA REAL ESTATE
REGULATORY AUTHORITY
REP. BY ITS MEMBER
V ADDL. BENCH K-RERA
2ND FLOOR, SILVER JUBILEE BLOCK
UNITY BUILDING, CSI COMPOUND
3RD CROSS, MISSION ROAD
BANGALORE – 560 027.

2. MR. JOYDIPTO NEOGI
R/A F4, SUNVAK PRIDE
NO.95, MODEL HOUSE STREET
BASAVANAGUDI
BANGALORE – 560 004.

…RESPONDENTS

(BY SRI I.S. DEVAIAH, ADVOCATE FOR R1;
SRI AMBAJI RAO NAJRE, ADVOCATE FOR R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE ORDER DATED NOVEMBER 03, 2023 IN CMP/UR/201227/0007333 PASSED BY THE R1 ANNEXURE-A AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE T.P.VIVEKANANDA

ORAL ORDER

The petitioner has approached this Court challenging the order dated 03.11.2023 passed by the first respondent on the complaint filed by the second respondent. The said order is appealable U/S 44 to the Karnataka Real Estate Appellate Tribunal.

2. It is the submission of the learned counsel for the petitioner that, at the time when this writ petition was filed, the appellate Tribunal was not functioning, therefore the petitioner has not availed the statutory remedy of appeal. It is his further submission that, presently, the

appellate Tribunal is functioning and therefore, liberty may be reserved to the petitioner to approach the appellate Tribunal challenging the order impugned herein.

3. This Court while entertaining this writ petition due to aforesaid reason, granted an interim order on 21.02.2024 staying the impugned order.

4. In the light of the fact that, since the appellate Tribunal is now functioning, the petitioner is at liberty to approach the appellate Tribunal by filing a statutory appeal. Till the consideration of the application for interim relief by the Tribunal, the interim order granted by this Court shall be in force.

5. Since the present writ petition has been pending since February 2024, the period spent in prosecuting this petition shall be excluded while computing the period of limitation for filing the proposed appeal before the appellate Tribunal.

6. Accordingly, the writ petition is ***disposed of***.

Sd/-
(T.P.VIVEKANANDA)
JUDGE

GSR,List No.: 1 Sl No.: 33