

WP NO. 4481/2026 (GM - RES)

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

**[MAALAVYA DEVELOPERS VS. STATE OF KARNATAKA AND
ANOTHER]**

23.02.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

Mr. Likith Patel M. K, the learned counsel for the petitioner, is heard on the grant of *ad interim* order.

The petitioner's grievance is with the Circular dated 03.09.2020 [*Annexure - C*] which authorises payment of delay fee and the demand for such fee [*in terms of Annexure - D*]. Mr. Likith Patel M. K. submits that this Circular has been quashed by this Court in W.P.No.3379/2024 and connected matters, and the learned counsel contends that there would be precipitation with insistence upon payment of delay fee and with the blocking of annual returns that the petitioner must file as contemplated under the Real Estate [Regulation and Development] Act, 2016 [RERA Act].

In consideration of these submissions and on perusal of records, the proceedings to recover delay fee in terms of Annexure - D is stayed and the petitioner is reserved with liberty to file an application with the Karnataka Real Estate

Regulatory Authority [*the second respondent*] to receive annual returns as contemplated under the RERA Act calling upon the second respondent to receive such annual returns subject to further orders of this Court.

Ms. Saritha Kulkarni, a learned Additional Government Advocate, is called upon to accept notice for the first respondent. Mr. I. S. Devaiah, a learned Standing counsel for the second respondent, subject to entrustment otherwise, is called upon to accept notice for this respondent.

Mr. Likith Patel M. K. shall ensure copies of the petition/annexures are served on the chambers of Mr. I. S. Devaiah forthwith.

The office is directed to re-list this petition on **09.04.2026.**

(B M SHYAM PRASAD)
JUDGE