



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

### COMPLAINT NO. 2326 OF 2019

Smt. Usha Garg Memorial Trust

....COMPLAINANTS(S)

VERSUS

BPTP Ltd.

....RESPONDENT(S)

**CORAM: Rajan Gupta  
Dilbag Singh Sihag**

**Chairman  
Member**

**Date of Hearing: 17.05.2022**

**Hearing: 13<sup>th</sup>**

**Present:** Shri Kamal Taneja, Counsel for Complainant through video-conferencing.  
Shri Hemant Saini and Shri Himanshu Monga, Counsel for Respondent.

### **ORDER: (RAJAN GUPTA-CHAIRMAN)**

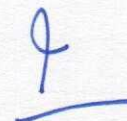
1. Authority had disposed of this complaint vide order dated 22.09.2021 wherein respondent was directed to offer fresh possession to the

complainant along with upfront delay interest and monthly interest amounting to Rs. 30,05,157/- and Rs. 28,151/- respectively.

2. Complainant/applicant has filed present application for review of order dated 22.09.2021 on 23.02.2022. Complainant vide aforesaid review application has alleged that interest on account of delay calculated by the office of Authority i.e., Rs. 30,05,157/- is wrong. As per his calculation it should be Rs. 36,06,286/-.


3. Upon perusal of record, it is revealed that at the time of calculations of delay interest, deemed date of possession was mistakenly taken as 31.10.2012 instead of 31.10.2010 which was mentioned in para 12 of order under review/rectification therefore interest was calculated for 2 years less time. It is observed that period for calculation of delay interest was correctly written/considered in the order i.e., from 30.10.2010 to 22.09.2021 but mistake occurred while calculation of interest as figure was taken as 30.10.2012 instead of 30.10.2010. This is an error apparent on face of record.

4. Now, Authority after consideration decides to rectify its order dated 22.09.2021 in respect of calculation of delay interest. Delay interest has been freshly calculated for the period 30.10.2010 to 22.09.2021. It works out to be Rs. 36,06,250/-. Monthly interest amounting to Rs. 28,151/-remains same.



5. Case is **disposed of** in view of above terms. Order be uploaded on the website of the Authority and file be consigned to the record room.

  
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**RAJAN GUPTA**  
(CHAIRMAN)

  
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**DILBAG SINGH SIHAG**  
(MEMBER)

