

<b>PROCEEDINGS OF THE DAY</b>		<b>1</b>
Day and Date	Tuesday and 03.01.2023	
Complaint No.	CR/504/2018 Case titled as Ravinder Agarwal Vs Ireo Grace Realtech Private Limited	
Complainant	Ravinder Agarwal	
Represented through	Ms. Upasana Chauhan proxy counsel	
Respondent	Ireo Grace Realtech Private Limited	
Respondent Represented	Ms. Shivani Dang Advocate	
Last date of hearing	23.11.2022 (remand back case)	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
<b>Proceedings</b>		
<p>The complainant requests for modification of the decree issued by the authority on the basis of order dated 20.12.2018 passed by the Authority allowing refund to the complainant after deduction of 10% earnest money. However, there was variation in the order passed by the Authority vis-a-vis deliberated during the proceedings and leading to filing of an application by the complainant for correction of the proceedings which was taken cognizance by the Chairman of the Authority on 09.01.2019. But the decree or order was not modified/corrected.</p> <p>Subsequently, the complainant moved to Appellate Tribunal in Appeal No.637 of 2019 and the Hon'ble Tribunal vide order dated 09.03.2022 had held that the appellate allottee is entitled for refund of the amount of Rs.47,11,034/- already paid by him to the promoter alongwith interest @ 9.30% per annum prevailing on the date of order. Now, the complainant allottee has filed an application for modification of the decree already issued by the authority by including the refundable amount as per above orders of Hon'ble Tribunal and an execution application for above order is already pending before the learned Adjudicating Officer.</p>		



**HARERA**  
**GURUGRAM**

**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
**GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम  
CR/504/2018


New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

The counsel for the respondent states that modification of the decree is not admissible on the basis of order passed by the Tribunal which in any case is applicable and the order of the Authority stands modified by the same. But in order to avoid confusion and delay in seeking the entitled amount of refund by the complainant, a clarification/confirmation order shall be issued by the authority which shall be read with the decree.

Matter stands disposed off. File be consigned to the registry.

  
Sanjeev Kumar Arora  
Member

  
Vijay Kumar Goyal  
Member  
03.01.2023