



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: [www.haryanarera.gov.in](http://www.haryanarera.gov.in)

(Reopened for deciding Rectification Application)

IN COMPLAINT NO. 618 OF 2023

Ranmeet Singh and Valerie Jana Hara. ....COMPLAINANTS

Vs

Ansar Properties & Infrastructure Pvt. Ltd. ....RESPONDENT

**CORAM: Dr. Geeta Rathee Singh** Member  
**Nadim Akhtar** Member

**Date of Hearing:** 03.05.2023

**Hearing:** 1<sup>st</sup>

**Present through video call: -** Sh. Sanjeev Gupta, Learned counsel for the complainants

Sh. Ajay Ghangas, Learned counsel for the respondent .

*Geeta Rathee*

**ORDER (DR. GEETA RATHEE SINGH -MEMBER)**

1. Learned counsel for the complainant filed an application on 10.04.2023 praying for rectification of order dated 12.10.2022 passed in the present complaint, whereby respondent was directed to refund an amount of ₹ 1,69,23,820/- which was calculated from date of making payments till the date of final order dated i.e. 12.10.2022.
2. Sh. Ripudaman, learned counsel for the complainant in the present rectification application has raised the ground that in order dated 12.10.2022, relief of refund granted to complainant was till the date of final order, i.e. 12.10.2022. However, it should have been till the actual realization of the total amount.
3. Authority on consideration of said application and record allows the present application for correction as the relief sought by complainant through this rectification application is already a part of statute, which cannot be changed. Even though the same was inadvertently not the part of the final order. The definition of 'interest' under Section 2 (zd) itself provides that "*interest payable to the allottee shall be from the date, the promoter received the amount or part, till the date the amount is refunded to the allottee*". The error pointed out by the complainant is an inadvertent error, apparent on record. Therefore, Authority under section 39 of the RERA Act, 2016 is mandated to rectify clerical mistakes/ errors apparent on the face of record. Rectification application is hereby allowed while clarifying the final

  
Dr. Geeta Rathee Singh

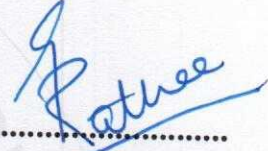
order that complainant is entitled to relief of refund along with interest from the date the promoter received the amount or any part thereof till the date the amount or part thereof and interest thereon is refunded.

4. For the above stated reasons, the present corrections sought by way of present application in the order dated 12.10.2022 is allowed. According, captioned complaint is **disposed off**.

File be consigned to record room after uploading of this order on the website of the Authority.



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**NADIM AKHTAR**  
**[MEMBER]**



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**DR. GEETA RATHEE SINGH**  
**[MEMBER]**