



**HARERA**  
GURUGRAM

**HARYANA REAL ESTATE REGULATORY AUTHORITY  
GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

<b>PROCEEDINGS OF THE DAY</b>		<b>88</b>
Day and Date	Tuesday and 25.07.2023	
Complaint No.	MA NO. 121/2023 in CR/2170/2021 Case titled as ABHINAV TALWAR AND VEENA TALWAR Vs PROMPT ENGINEERING PVT LTD	
Complainant	ABHINAV TALWAR AND VEENA TALWAR	
Represented through	Shri Sanjeev Sharma Advocate	
Respondent	PROMPT ENGINEERING PVT LTD	
Respondent Represented	Ms. Unnati Anand Advocate	
Last date of hearing	Rectification application	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
<b>Proceeding -cum-Order</b>		
<p>The above-mentioned matter was heard and disposed of vide order dated 13.01.2023 wherein the Authority had directed the respondent to refund the paid-up amount after deducting 10% of the basic sale price on adjustment of the amount already refunded to the complainants after cancellation.</p> <p>The complainant has filed an application for rectification of order dated 13.01.2023 in para no. 42(i) seeking specific direction for interest on the refundable amount from the date of cancellation till the date of refund.</p> <p>1. The authority observes that section 39 deals with the <i>rectification of orders</i> which empowers the authority to make rectification within a period of 2 years from the date of order made under this Act. Under the above provision, the authority may rectify any mistake apparent from the record and make such amendment, if the mistake is brought to its notice by the parties. The relevant portion of said section is reproduced below.</p> <p style="text-align: center;"><b>Section 39: Rectification of orders</b></p> <p style="text-align: center;"><i>"The Authority may, at any time within a period of two years from the date of the order made under this Act, with a view to rectifying any mistake apparent from the record, amend any order passed by it, and shall make such amendment, if the mistake is brought to its notice by the parties:</i></p> <p style="text-align: center;"><i>Provided that no such amendment shall be made in respect of any order</i></p>		



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम  
MA No 121/2023 (CR/21/10/2023)


New PWD Rest House, Civil Lines, Gurugram, Haryana


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

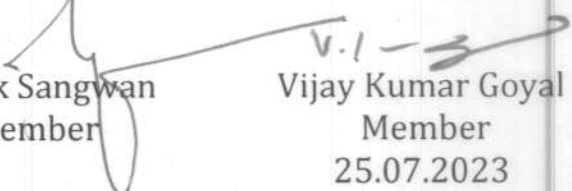
*against which an appeal has been preferred under this Act:*

*Provided further that the Authority shall not, while rectifying any mistake apparent from record, amend substantive part of its order passed under the provisions of this Act."*

2. As the present application provides that interest on the refundable amount was inadvertently left to be granted from the date of cancellation till date of actual refund in para 42(i) of the order dated 13.01.2023.
3. Thus, the rectification filed by the complainant is clerical in nature and the same is allowed.
4. Application stands disposed of. File be consigned to registry.

  
Sanjeev Kumar Arora  
Member

  
Ashok Sangwan  
Member

  
Vijay Kumar Goyal  
Member  
25.07.2023