

**PROCEEDINGS OF THE DAY**

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| Day and Date           | Thursday and 10.08.2023   |
| Complaint No.          | MA NO. 235/2023 in CR/10/2021 Case titled as MRS RUMA BOSE Vs OASIS LANDMARKS LLP |
| Complainant            | MRS RUMA BOSE   |
| Represented through    | Ms. Priyanka Agarwal Advocate   |
| Respondent             | OASIS LANDMARKS LLP   |
| Respondent Represented | S/Shri Vansh Bajaj and Aman Garg Advocates  |
| Last date of hearing   | Rectification application   |
| Proceeding Recorded by | Naresh Kumari and HR Mehta  |

**Proceedings**

The respondent-applicant filed an application dated 16.06.2023 for rectification of order dated 22.03.2023.

As per the rectification application, the above-mentioned complaint number was listed for pronouncement of order on 22.03.2023 wherein the authority was dismissing the instinct complaint as the same was barred by limitation. However, the authority while uploading the said judgment the authority inadvertently directed the respondent to refund the entire amount after deduction of 10% of BSP.

The respondent-applicant has sought relief through rectification application.

| S no. | Relief prayed in<br>rectification application<br>dated 16.06.2023 | Order dated 22.03.2023 |
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HARERA  
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY  
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम


MA No. 235/2023/14 (R/10/2021)

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

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| 1. | The authority inadvertently directed the respondent to refund the entire amount after deducting 10% of BSP along with <u>interest@10.70%</u> from the date of filling complaint till the actual refund. | The respondent issued cancellation letter on 01.04.2016 however, the intention of the respondent was to give the possession as even after issuing cancellation letter the respondent again gave the opportunity to the complainant to clear the outstanding dues vide letter dated 08.08.2017. Also, the Occupation Certificate for the project of the allotted unit was granted on 29.03.2019. |
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The counsel for the respondent states that vide proceedings dated 22.03.2023, the application was declined but while passing the order, the refund has been allowed after deducting 10% of the earnest money. The application made by the complainant allottee was for allowing full refund alongwith interest which was declined to that extent but allowed the refund of the paid up amount after deducting 10% earnest money in terms of regulations of the Authority. The application for rectification is declined. File be consigned to the registry.

  
Vijay Kumar Goyal  
Member  
10.08.2023