

<b>PROCEEDINGS OF THE DAY</b>		<b>6</b>
Day and Date	Thursday and 10.08.2023	
Complaint No.	MA No. 236/2023 in CR/9/2021 Case titled as MR RUDRA BOSE Vs OASIS LANDMARKS LLP	
Complainant	MR RUDRA 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 rectification application dated 16.06.2023	Order dated 22.03.2023
1.	The authority inadvertently directed the respondent to refund the entire amount after deducting 10% of BSP along	The respondent issued cancellation letter on 01.04.2016 however, the intention of the respondent was



**HARERA**  
**GURUGRAM**

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

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम  
MA No 236/2023/14 CR/9/2021

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.इन्वल्सू.डी. विश्राम गृह सिविल लाईंस गुरुग्राम हरियाणा

with <u>interest@10.70%</u> from the date of filling complaint till the actual refund.	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*  
Vijay Kumar Goyal  
Member  
10.08.2023