



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

PROCEEDINGS OF THE DAY		24
Day and Date	Tuesday and 02.01.2024	
Complaint No.	MA NO. 416/2023 in CR/2379/2022 Case titled as Simran Singh & Iqram Govind Singh Vs. Vatika Ltd.	
Complainant	Simran Singh & Iqram Govind Singh	
Represented through	Shri Varun Kathuria Advocate	
Respondent	Vatika Ltd.	
Respondent Represented through	Ms. Ankur Berry Advocate	
Last date of hearing	Rectification application	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings-cum-orders		
<p>The above-mentioned matter was heard and disposed of vide order dated 24.05.2023 wherein the Authority had directed Since assured return being on higher side are allowed than delay possession charges, so the respondent is directed to pay the arrears of amount of assured return at agreed rate to the complainant(s) in each case from the date the payment of assured return has not been paid till the date of completion of construction of building. After completion of the construction of the building. The respondent/builder would be liable to pay monthly assured returns at agreed rate of the super area up to 3 years/36 months (different terminology use) or till the unit is put on lease whichever is earlier.</p> <p>Now the applicant/complainant has moved a single common rectification application dated 03.11.2023 in following 3 complaints as the order and judgement is common to all the complaints.</p> <ol style="list-style-type: none">1. CR/2379/20222. CR/2520/20223. CR/2519/2022		

An Authority constituted under section 20 the Real Estate (Regulation and Development) Act, 2016
Act No. 16 of 2016 Passed by the Parliament

भू-संपदा (विनियमन और विकास) अधिनियम, 2016 की धारा 20 के अंतर्गत गठित प्राधिकरण

भारत की संसद द्वारा पारित 2016 का अधिनियम संख्यांक 16



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MANO-416/2023 In CR/239/2022

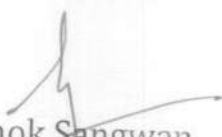
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The applicant/complainant has filed an application for rectification of order dated 24.05.2023 and is proposing following rectification as under.

Sr. No.	Matter sought to be rectified	Details as per order dated 24.05.2023	Changes proposed
1.	Recording that OC/CC is not obtained till date	Para h on page 13 of the order "the construction of the unit was completed and the same was duly informed to the complainant vide letter dated 26.03.2018"	That the respondent has not received OC/CC for the project till date and therefore, the project or the construction thereof cannot be considered to be complete in the absence of OC and CC. The aforesaid observation has not been explicitly mentioned by the authority and the complainants are apprehensive that the respondent may use the same to their advantage at the time of execution.

The authority observes that the paragraph of the judgement in which the complainant is seeking clarification is part of the pleading of the respondent and not the observation/findings/directions of the authority. Moreover, in para 7 of the detailed order dated 24.05.2023, the authority has already recorded that the respondent has not obtained occupation certificate in respect of the subject project. Thus, the authority is of the view that there is no merit in the application dated 03.11.2023 filed by the complainant for rectification of order 24.05.2023 passed by the authority and the same is hereby rejected. File be consigned to the registry.


Ashok Sangwan
Member
02.01.2024