

PROCEEDINGS OF THE DAY		18
Day and Date	Wednesday and 31.01.2024	
Complaint No.	MA NO. 453/2023 in CR/5225/2022 Case titled as Suchi Tandon and Vinod Tandon VS Pareena Infrastructure Private Limited	
Complainant	Suchi Tandon and Vinod Tandon	
Represented through	Shri Sukhbir Yadav Advocate	
Respondent	Pareena Infrastructure Private Limited	
Respondent Represented	Ms. Neeraj proxy counsel	
Last date of hearing	Rect. application	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings - cum - Order

The above-mentioned matter was heard and disposed of vide order dated 14.09.2023 wherein, the Authority had directed the respondent to refund the entire amount paid by the complainants along with prescribed rate of interest from the date of each payment till the date of refund of the deposited amount.

The complainant has filed an application for rectification of order dated 14.09.2023 stating that due to typographical error the prescribed rate of interest was mentioned as 10% instead of 10.75% as the Authority vide proceedings dated 14.09.2023 has directed the respondent to refund the paid-up amount alongwith interest at prescribed rate i.e., 10.75%.

The authority observes that section 39 deals with the *rectification of orders* 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:

Section 39: Rectification of orders



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MANO-159/2023 HCR/525/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana


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

*"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:
Provided that no such amendment shall be made in respect of any order 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."*

As the rectification filed by the complainant is clerical in nature and the same is allowed.

This order shall be read as part and parcel of the final order dated 14.09.2023.

Application stands disposed off. File be consigned to registry.


Ashok Sangwan
Member
31.01.2024