



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

COMPLAINT NO. 24 OF 2024

(Rectification Complaint)

Gaurav Bhatia S/o Vinod Kumar Bhatia Through Shri Vindo Kumar Bhatia S/o
Madan Lal BhatiaCOMPLAINANT

VERSUS

Global Land Masters Pvt. Ltd.RESPONDENT

CORAM:	Parneet S Sachdev	Chairman
	Nadim Akhtar	Member
	Dr. Geeta Rathee Singh	Member
	Sh. Chander Shekhar	Member

Date of Hearing: 04.04.2024

Hearing: 2nd

Present: - Sh. Rajbir Singh, counsel for complainant through VC
None for the respondent

ORDER : (PARNEET S SACHDEV- CHAIRMAN)

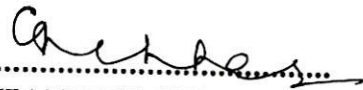
1. Ld. counsel for the complainant filed a rectification complaint praying for the correction in the order dated 09.08.2022 passed by the Authority in the complaint no. 1210/2020 titled as "V.K. Bhatia Versus GLM", whereby the captioned complaint was disposed of and respondent was directed to refund the paid amounts to the complainant along with interest.

2. Complainant in the present rectification complaint has stated that memo of parties of the complaint no. 1210/2020 was titled as *V.K. Bhatia Versus GLM Pvt. Ltd.* Although complaint was filed by Gaurav Bhatia through his power of attorney Sh. Vinod Bhatia (father of present complainant) and in final judgment dated 09.08.2022, the name of complainant is mentioned as V.K Bhatia. However, complainant now vide this rectification complaint wishes to amend the name from V.K. Bhatia to Gaurav Bhatia in the judgment dated 09.08.2022.
3. After hearing parties and perusal of records, it was observed by the Authority that in complaint no. 1210/2020, complainant has generated Performa-B, wherein he has mentioned the name of complainant as V.K. Bhatia and in memo of parties also name of complainant is mentioned as V.K. Bhatia. Both the documents, i.e., memo of parties and Performa-B, mentions the name of Sh. V.K. Bhatia as complainant in original file no. 1210/2020, now at this stage, it is neither a clerical mistake nor typographical, therefore, complaint filed by complainant for rectification/review of the order of the Authority cannot be allowed.
4. Authority under section 39 of the RERD Act, 2016 is only mandated to rectify only clerical mistakes apparent on the face of record. The RERD Act, 2016 does not entrust the power of review of the order on the Authority.
5. In fact, the proviso 2 to section 39, categorically provides that the Authority “shall not” while rectifying any mistake apparent from record, amend substantive part of its order passed under the provisions of the Act.



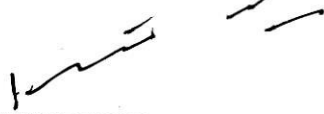
6. After hearing the above said view of Authority, complainant counsel Sh. Rajbir Singh during hearing, seeks liberty of Authority to withdraw the captioned rectification complaint with a liberty to file the same before appropriate forum.
7. Request of complainant for withdrawal of captioned rectification complaint was considered and allowed.
8. For the above stated reasons, the present complaint for rectification of the final order dated 09.08.2022 is allowed to be withdrawn. **Disposed of as withdrawn.**

File be consigned to record room after uploading of this order on the website of the Authority.


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CHANDER SHEKHAR
[MEMBER]


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DR. GEETA RATHEE SINGH
[MEMBER]


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NADIM AKHTAR
[MEMBER]


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PARNEET S SACHDEV
[CHAIRMAN]