

PROCEEDINGS OF THE DAY		S3
Day and Date	Wednesday and 15.05.2024	
Complaint No.	MA NO. 225/2024 in CR/3593/2021 Case titled as Omvik Engineers Private Limited VS Raheja Developers Limited	
Complainant	Omvik Engineers Private Limited	
Represented through	Ms. Sanju proxy counsel	
Respondent	Raheja Developers Limited	
Respondent Represented	Ms. Harshita Setia proxy counsel	
Last date of hearing	08.05.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings-cum-order		
<p>The above-mentioned matter was a part of bunch matter and was heard and disposed off vide order dated 01.03.2023 wherein, the Authority had directed the respondent to pay delay possession charges from the due date of possession till actual handing over of possession or offer of possession plus two months, whichever is earlier.</p> <p>The counsel for the complainant has filed an application for rectification of order dated 01.03.2023 seeking rectification w.r.t complaint no., unit no., paid up-amount, total sale consideration, date of execution of agreement and due date of possession.</p> <p>After careful perusal of the record as well as submission made by the counsel for the complainant vide rectification application dated 15.04.2024, the authority observes that the said discrepancy is being caused due to mistyping of complainant's title which has been wrongly mentioned as 'Om Trade Link Private Limited V/s Raheja Developers Limited' instead of "Omvik Engineers Private Limited V/s Raheja Developers Limited" on page.nos. 1 and 4 of the final detailed order dated 01.03.2023.</p>		

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

"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:

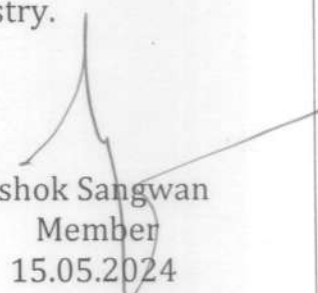
Provided that no such amendment shall be made in respect of any order against which an appeal has been preferred under this Act:

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."

In view of the above, the case title of the complaint bearing no. CR/3593/2021 in final detailed order dated 01.03.2023 is hereby rectified being typographical and clerical in nature. Accordingly, the complaint title in respect of CR/3593/2021 shall be read as **"Omvik Engineers Private Limited V/s Raheja Developers Limited"**.

This order shall be read as part and parcel of the final detailed order dated 01.03.2023.

Application stands disposed off. File be consigned to registry.


Ashok Sangwan
Member
15.05.2024