

<b>PROCEEDINGS OF THE DAY</b>		<b>16</b>
Day and Date	Thursday and 16.05.2024	
Complaint No.	MA NO. 481/2023 in CR/825/2019 Case titled as Mr. Abhilash Agrawal VS Mapsko Builder Pvt. Ltd.	
Complainant	Mr. Abhilash Agrawal	
Represented through	Ms. Shobha Mishra Advocate	
Respondent	Mapsko Builder Pvt. Ltd.	
Respondent Represented	Shri Pawan Bhardwaj Advocate	
Last date of hearing	Application for rectification/29.02.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### **Proceedings-cum-orders**

The complainants have filed an application for rectification dated 22.12.2023 regarding rectification in the order dated 19.10.2023.

The above-mentioned matter was heard and disposed off. vide order dated 19.10.2023. The Authority had directed to respondent to pay the outstanding amount of Rs.2,20,000/- as DPC to the complainants as per BBA dated 20.10.2010 for every month of delay from the due date of possession i.e., 20.10.2014 till the offer of possession plus two months which comes to 27.07.2016.

The complainants through this application requested to the authority to direct the respondent to pay the outstanding amount of Rs.2,20,000/- along with interest @ 18% or at the prescribed rate of interest.

The counsel for the respondent stated at bar that in pursuance to the orders of the Authority dated 19.10.2023, the requisite DPC amount stands transferred to the complainant on 28.12.2023 and no directions to the effect payment of interest were part of the order and refund has been made within the period stipulated in the order.



**HARERA**  
**GURUGRAM**

HARYANA REAL ESTATE REGULATORY AUTHORITY  
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MA/481/2023/CR/825/2019

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

In view of the same, the application for rectification cannot be considered in terms of the provisions under section 39 of the Act, 2016 which provides as under:-

**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 application stands dismissed. File be consigned to the registry.

V.I-3  
Vijay Kumar Goyal  
Member  
16.05.2024