

**BEFORE THE HARYANA REAL ESTATE REGULATORY AUTHORITY,  
GURUGRAM**

Complaint no. : 307 of 2022  
Date of complaint : 08.02.2022  
Date of order : 01.05.2024

Sheel Kumar Bansal,  
R/o: House no. 1255, Sector- 15,  
Part-2, Gurugram, Haryana-122001.

**Complainant**

**Versus**

M/s Ireo Grace Realtech Private Limited  
Office at: - 304, Kanchan House, Karampura,  
Commercial Complex, New Delhi-110015.

**Respondent**

**CORAM:**  
Ashok Sangwan

**Member**

**APPEARANCE:**  
None  
M.K Dang (Advocate)

Complainant  
Respondent

**HARERA**  
**ORDER**

1. The above-mentioned matter was heard and disposed of vide order dated 15.11.2023 wherein, the Authority had directed the respondent to pay delay possession charges at the rate of 10.75% p.a. from the due date of possession till offer of possession plus two months i.e., upto 16.04.2022.
2. The respondent has filed an application for rectification of order dated 15.11.2023 stating that the due date of possession has been wrongly mentioned as 23.01.2017 instead of 27.11.2018 as the said due date has been agreed by both the parties on proceedings dated 15.11.2023.

**A. Finding by the authority**

3. 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."*

4. As the rectification filed by the respondent is mistake apparent from record, the same is being allowed.
5. This order shall be read as part and parcel of the final order dated 15.11.2023.
6. Application stands disposed of. File be consigned to registry.

Dated: 01.05.2024

**(Ashok Sangwan)**  
Member  
Haryana Real Estate  
Regulatory Authority,  
Gurugram