



PROCEEDINGS OF THE DAY		21
Day and Date	Wednesday and 07.08.2024	
Complaint No.	MA NO. 367/2024 in CR/6462/2022 Case titled as Anish Mahaveer Prashad Goyal VS ATHENA INFRASTRUCTURE LTD	
Complainant	Anish Mahaveer Prashad Goyal	
Represented through	Shri Gunjan Kumar Advocate	
Respondent	ATHENA INFRASTRUCTURE LTD	
Respondent Represented	Shri Arun Kumar Yadav proxy counsel for R1 Shri Gaurav Dua Advocate for R2	
Last date of hearing	Application u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings-cum-order		
<p>The present application has been filed by the complainant on 18.06.2024 seeking rectification w.r.t order dated 20.03.2024. The complainant submitted in the application that there are certain clerical errors in the order. Before proceeding with the matter, it would be appropriate to refer to the provisions of Section 39 of the Act, 2016 under which the present application has been preferred.</p>		
<p>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</p>		



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HARYANA REAL ESTATE REGULATORY AUTHORITY
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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
MA No. 367/2024/1h CR/696/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी. डब्ल्यू. ई. विधाम गृह, मिचिन लाईंस, गुरुग्राम, हरियाणा

passed under the provisions of this Act."

The Authority observes the following:

Relevant Page. No & Paragraph	Erroneous Parts/Facts	Corrected Facts
Page No.5, Para No. III	...Unit No. I-032, 3 rd Floor...	Unit no. F-111, Block-F.
Page No.5, Para No. III	The complainants have paid 15% of the total cost of the provisional allotted unit i.e. Rs. 44,84,354/-....	The complainants have paid 15% of the total cost of the provisional allotted unit i.e. Rs. 46,42,385/-...
Page No.6, Para No. IV	..respondent no.1 on 04.10.2013...	..respondent no.1 on 06.06.2013
Page No.6, Para No.IV,IX.	That the total sale consideration of the unit is Rs.3,02,65,450/-..	That the total sale consideration of the unit is Rs.3,07,62,600/-...
Page No.8, Para No.IX	The complainants have so far made a total payment of Rs.2,65,84,354/- /-.... 87%....	The complainants have so far made a total payment of Rs. 2,66,42,385/-86%....
Page No.8, Para No.XI	That the complainants sent a legal notice on 20.08.2018.....	That the complainants sent a legal notice on 25.06.2018
Page No.9, Para No.XIIAdjudicating Officer, bearing Complaint No. 1092 of 2018...Adjudicating Officer, bearing Complaint No. 1091 of 2018...



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MANO 367/2024 INR/6/62/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी. डब्ल्यू. ई. विभाग गृह, सिविल लाईन्स, गुरुग्राम, हरियाणा

Page No.10, Para No.XVII	...before SCDRC bearing Complaint No.176 of 2021...	...before SCDRC bearing Complaint No.177 of 2021...
Page No.9, Para No.XIII	..issued an offer of possession letter on 10.12.2018....	..issued an offer of possession letter on 02.08.2018....
Page No.9, Para No.XIII	That to the utter shock of the complainants on 20.02.2019.....	That to the utter shock of the complainants on 04.07.2018 and subsequently on 11.07.2018.....
Page No.9, Para No.XIV	That on 11.03.2019	That on 08.08.2018
Page No.21, Para No.18	...entered into a tri-partite agreement on 25.08.2013...	...entered into a tri-partite agreement on 28.05.2013...
Page No.27, Para No.28	The above said unit was allotted to complainants on 19.08.2010. there is a delay in handing over the possession as due date of possession was 19.08.2013 whereas, the offer of possession was made on 07.02.2017.....	The due date for handing over possession was 06.12.2016 and the offer of possession was made on 02.08.2018.

The above mentioned facts has been inadvertently mentioned in the facts of the order dated 20.03.2024. Thus, the same being an error apparent on the record and being clerical error stands rectified as mentioned above.



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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम
MA/367/2024 In CA/6462/22

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी. डब्ल्यू. ई. विभाग गृह. सिविल लाईन्स, गुरुग्राम, हरियाणा

This order shall be read as part and parcel of the order dated 20.03.2024. The application stands disposed off. File be consigned to the registry.

Ashok Sangwan
Member
07.08.2024