



New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी. डब्ल्यू. डी. विश्राम गृह, सिविल लाईंस, गुरुग्राम, हरियाणा

PROCEEDINGS OF THE DAY		111
Day and Date	Tuesday and 22.10.2024	
Complaint No.	MA NO. 571/2024 in CR/2079/2023 Case titled as Dhirender Kharkwal and Mamta Kharkwal VS Spaze Towers Private Limited	
Complainant	Dhirender Kharkwal and Mamta Kharkwal	
Represented through	Ms. Aditi Mishra Advocate	
Respondent	Spaze Towers Private Limited	
Respondent Represented	Ms. Shikha proxy counsel	
Last date of hearing	Application u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings-cum-orders

The aforesaid complaint was disposed of vide order dated 05.07.2024, of the Authority wherein the complainants were held entitled for interest at the prescribed rate of 10.95% for every month of delay from the due date i.e., 17.06.2016 till offer of possession i.e., 21.07.2018 plus two months i.e., upto 21.09.2018. An application dated 28.08.2024 was filed by the complainant for rectification of order dated 05.07.2024.

Vide said application for rectification of order dated 05.07.2024, the respondent has sought following rectification -

<u>S.no</u>	<u>Changes proposed</u>	<u>Finding of the Authority proposed change as per application filed by the respondent</u>



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

प्लॉट पी. डब्ल्यू. रो. विभाग, गृह, निवृत्त लार्डम, गुरुग्राम, हरियाणा


1.	The respondent submitted that in the aforesaid order dated 05.07.2024, the rate of interest chargeable from the allottees by the promoter, in case of default shall be charged at the prescribed rate i.e., 15% by the respondent/promoter which is the same rate of interest which the promoter shall be liable to pay the allottees, in case of default i.e., the delayed possession charges as per section 2(za) of the Act.	It is observed that there is inadvertent error in the order dated 05.07.2023, where the chargeable rate of interest has been advertently mentioned as 15% instead of 10.95%.
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The authority observes that the said error is inadvertent in nature and the counsel for the respondent has no objection to the amendment. Therefore, in view of section 39 read with section 39(2) of the Real Estate (Regulation and Development) Act, 2016 as the error is only clerical in nature and rectification in the order 05.07.2024 is allowed.

This order shall be read with the part of main order dated 05.07.2024.

Application for rectification of order stands disposed off. File be consigned to the registry.


Ashok Sangwan
Member


Arun Kumar
Chairman
22.10.2024


Vijay Kumar Goyal
Member