



PROCEEDINGS OF THE DAY		13
Day and Date	Wednesday and 23.10.2024	
Complaint No.	MA NO. 673/2024 in CR/6646/2022 Case titled as Jasveer Singh Jassal VS BPTP Limited	
Complainant	Jasveer Singh Jassal	
Represented through	Ms. Ankur Berry Advocate	
Respondent	BPTP Limited	
Respondent Represented through	Shri Harshit Batra Advocate	
Last date of hearing	Appl. u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present application has been filed by the complainant on 13.09.2024 seeking rectification w.r.t order dated **28.08.2024**. The complainant has submitted in the application that in order dated 28.08.2024, there are inadvertent factual errors which are apparent from the record which are as follows:

- i. The respondent is directed to offer possession of the unit to the complainants within 30 days of this order.
- ii. The respondent is directed to pay interest for every month of delay from the due date of possession i.e., 30.04.2017 till the offer of possession plus 2 months or actual handing over of possession from obtaining the occupation certificate on 23.02.2024, whichever is earlier, as per Section 18(1) of the Act of 2016 read with rule 15 of the rules.
- iii. Directions w.r.t the interest percentage as mentioned in para 19 of the order is missing.
- iv. Direction w.r.t the offer of possession dated 13.10.2023 being illegal is not mentioned in the directions.



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MANO 673/2024 IN CR/6646/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

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.

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

The Authority is of the view that there is an inadvertent clerical error in the directions part at para 25 (ii) of the order dated 28.08.2024. The same stands rectified as follows:

"The respondent is directed to pay interest @ 11.10% for every month of delay from the due date of possession i.e., 30.04.2017 till the offer of possession plus 2 months after obtaining the Occupation certificate on 23.02.2024 or actual handing over of possession, whichever is earlier, as per Section 18(1) of the Act of 2016 read with rule 15 of the rules."

Thus, the same being an error apparent on the record and being clerical error stands rectified as mentioned above.

This order shall be read as part and parcel of the order dated 29.05.2024.

Rectification application stands disposed of. File be consigned to registry.

Ashok Sangwan
Member
23.10.2024