

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

<b>Complaint no. :</b>	<b>MA No 882/2024 in CR No. 397/2022</b>
<b>Order pronounced on :</b>	<b>25.07.2024</b>

**Bharat Bhushan Gupta**

**R/o:** 258/36, Balram Nagar Behind Krishi Upaj Samiti, Sikar,  
Rajasthan 332001

**Presently at:** Flat No. 473, Our Homes (Phase 2), Sector 37 C,  
Gurugram

**Complainant**

**Versus**

M/s Apex Buildwell Pvt. Ltd.

**Regd. Office:** 202, DLF, City Centre, M.G. Road,  
Gurugram, Haryana

**Respondent**

**CORAM:**

Shri Vijay Kumar Goyal

**Member**

**APPEARANCE:**

Shri Pawan Kumar (Advocate)

Shri Sanjeev Kumar Sharma (Advocate)

**Complainant  
Respondent**

**ORDER**

1. The aforementioned complaint was disposed of by this Authority vide order dated 25.07.2024, wherein delayed possession interest at the prescribed rate of 11% per annum was granted, from the due date of possession, i.e., 02.06.2017, inclusive of a six-month grace period, up to the offer of possession made on 20.03.2020, plus an additional two months. The detailed order pertaining to this matter was duly uploaded on the official website of the Authority on 11.09.2024.
2. Subsequently, the counsel for the complainant submitted an application, MA No. 882/2024, dated 04.11.2024, under Section 39 of the Act, seeking rectification of the complaint number, name and address of the respondent and unit number mentioned at page 2, column 7 of the order.

3. The counsel for the respondent raised no objection to the aforesaid application.
4. The power conferred under Section 39 of the Act are limited to rectifying clerical or apparent mistakes in the orders issued under the Act. The relevant text of Section 39 is reproduced below for clarity:

*The Authority may, at any time within 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:*

*Provide 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.*

5. After considering the contentions presented by both parties, the Authority finds that the said application dated 04.11.2024 filed by the complainant for rectification of order dated 25.07.2024 is held to be maintainable being covered under the ambit of Section 39 of the Act, 2016, *ibid*.
6. Hence, the corrections are set forth in the table below:


S.No.	Particulars	Substitute As
1.	Complaint Number	397 of 2022
2.	Name and Address of Respondent	M/s Apex Buildwell Pvt. Ltd. Regd. Office at 202, DLF, City Centre, M.G. Road, Gurugram, Haryana
3.	Unit number referenced at page 2, column 7 of the order dated 25.07.2024	Amended as 473

7. In the light of above, the said errors has been rectified vide present order, and the corrected particulars in para 6 of this order shall be deemed an integral part of the order dated 25.07.2024.

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8. The application is, therefore, allowed and stands disposed of.
9. The file be consigned to the Registry.

**Dated: 05.12.2024**

  
**(Vijay Kumar Goyal)**  
Member  
Haryana Real Estate  
Regulatory Authority,  
Gurugram



**HARERA**  
**GURUGRAM**