



**HARERA**  
**GURUGRAM**

**HARYANA REAL ESTATE REGULATORY AUTHORITY**  
**GURUGRAM**

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

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

**PROCEEDINGS OF THE DAY**

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Day and Date	Tuesday and 24.12.2024
Complaint No.	MA NO. 627/2024 in CR/2161/2023 Case titled as Ravi Kumar VS Pivotal Infrastructure Private Limited
Complainant	Ravi Kumar
Represented through	Shri Lakshay Yadav Advocate
Respondent	Pivotal Infrastructure Private Limited
Respondent Represented	Shri Siddharth Sejwal AR
Last date of hearing	Appl. u/s 39 of the Act/29.10.2024
Proceeding Recorded by	Naresh Kumari

**Proceedings-cum-Order**

The applicant/complainant vide application dated 09.09.2024 has requested for rectification of order dated 05.04.2024 in the above captioned complaint w.r.t. correction of amount paid from the above-mentioned complainant.

On last date of hearing dated 29.10.2024, the counsel for the respondent requested to file reply to the said application. Request was allowed. No such reply has been filed till date.

The complainant states that the complainant has paid an amount of ₹23,86,088/- instead of ₹19,98,000/- as mentioned in table annexed with para 3 of the order dated 05.04.2024. The complainant further states that an amount of ₹1,15,549/- duly acknowledged by the respondent through receipt dated 21.09.2023, was inadvertently not attached with the complaint.

The Authority observes that as per the facts provided by the complainant at the time of filing of the complaint, the amount paid as reflected in the final reminder letter dated 06.03.2023 is ₹21,07,016/- and thereafter the complainant transferred an amount of ₹1,63,525/- via NEFT to the respondent on 15.04.2023. Therefore, the total amount paid as per the proof placed on record is ₹22,70,541/-. The amount of ₹1,15,549/- cannot be taken into



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MANO-621/2024/MCA/46/2023

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.एच.ए.डी. विभाग, नए सिविल लाइन्स, गुरुग्राम (हरियाणा)

consideration at this stage since the same was not placed on record while filing the complaint nor any time thereafter till the final decision of the complaint.

The counsel for the respondent states that DPC may be considered only on the amount claimed while filing the complaint and the subsequent amount paid by the complainant was towards other charges.

The amendment is allowed in view of the provisions under Section 39 read with Section 38(2) of the Real Estate (Regulation and Development) Act, 2016 as the error is only clerical in nature. The rectification in the detailed order dated 05.04.2024 is partly allowed to the extent that the amount paid by the complainant be considered as ₹22,70,541/- instead of ₹23,86,088/-.

This order shall be read as a part and in continuation of order dated 05.04.2024. File be consigned to the registry.

Ashok Sangwan  
Member

V. I. - 3  
Vijay Kumar Goyal  
Member

Arun Kumar  
Chairman  
24.12.2024