



HARERA
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HARYANA REAL ESTATE REGULATORY AUTHORITY
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हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

PROCEEDINGS OF THE DAY		14
Day and Date	Tuesday and 21.01.2025	
Complaint No.	MA NO. 958/2024 in CR/1613/2018 Case titled as JASBIR SINGH RIKHI GURPREET KAUR RIKHI VS BPTP LTD.	
Complainant	JASBIR SINGH RIKHI GURPREET KAUR RIKHI	
Represented through	None	
Respondent	BPTP LTD.	
Respondent Represented	Shri Harshit Batra Advocate	
Last date of hearing	Appl. u/s 39 of the Act/07.01.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings-cum-orders

The aforesaid complaint was disposed of vide order dated 22.03.2023 of the authority wherein the complainant was held entitled for delay possession charges along with prescribed rate of interest. An application dated 22.11.2024 was filed by the respondent for rectification of order dated 22.03.2023.

The respondent-builder states that an execution petition was filed before the Adjudicating Officer vide execution petition no. 4733 of 2023. During the course of the execution proceedings, a total sum of Rs. 51,46,147/- (including VAT) was paid by the respondent, in compliance with the order under execution. While calculating the said amount, the outstanding dues of Rs. 33,64,610 were adjusted, in accordance with the aforementioned direction no. (iv) in the order dated 22.03.2023. However, during the course of the execution proceedings, on 16.10.2024, the complainant has completely denied his liability of making the due payment.

The respondent has filed the present application to rectify the direction (iv) of the judgement dated 22.03.2023 to the extent of removal of "if any" and to



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MANO 958/2024 IN CK/1613/2018

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

mention the principle outstanding dues of Rs. 33,64,610 pending against the complainant.

Findings of the Authority:

After hearing the parties, the Authority is of the view that a clear and unambiguous order has been passed by the Authority in the above complaint on 22.03.2023. No factual or clerical error apparent from record has been brought to the notice of the Authority which needs rectification under the provisions of Section 39 of the Act, 2016. So far as the amount to be paid by the complainant to the respondent is concerned, the same being a dynamic figure, is to be crystalized at the level of the executing Authority where both the parties may file their claim/counter-claim in this regard.

In view of the above, the application filed under section 39 is declined with the above observations. File be consigned to the registry.


Ashok Sangwan
Member


Arun Kumar
Chairman
21.01.2025


Vijay Kumar Goyal
Member