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HARYANA REAL ESTATE REGULATORY AUTHORITY
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New PWD Rest House, Civil Lines, Gurugram, Haryana

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

PROCEEDINGS OF THE DAY		16
Day and Date	Tuesday and 11.02.2025	
Complaint No.	MA NO. 1048/2024 in CR/615/2021 Case titled as Mrs. Sumedha Bhardwaj VS Advance India Projects limited	
Complainant	Mrs. Sumedha Bhardwaj	
Represented through	Shri Sukhbir Yadav Advocate	
Respondent	Advance India Projects limited	
Respondent Represented	Shri M.K. Dang Advocate	
Last date of hearing	Appl. u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
<p style="text-align: center;">Proceedings-cum-order</p> <p>The applicant/respondent vide rectification application dated 17.12.2024 filed under Sec 39 of the Act, 2016, have requested for rectification of order dated 22.10.2024 in the above captioned complaint which was disposed of by the authority.</p> <p>The Authority vide its order dated 22.10.2024 disposed of the complaint with the following directions:</p> <p style="padding-left: 40px;"><i>"The respondent is directed to refund the paid up amount of Rs. 16,52,844/- along with the interest at the prescribed rate i.e., 11.10% from the date of each payment till the actual date of refund of the amount within the timelines provided in rule 16 of the Rules, 2017."</i></p> <p>The respondent herein states that the respondent has paid an amount of ₹4,34,781/- as an assured return to the complainants and the authority while passing the order dated 22.10.2024 has not passed the direction of deducting the assured return amount paid from the refundable amount.</p> <p>Arguments heard.</p>		



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MANO-1048/2024/14 CR/615/2024

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The authority herein observes that as per the records provided by both the parties at the time of pendency of the complaint there was no mention of having paid the assured return amount of ₹4,34,781/- by either of the parties. Accordingly, the said rectification application filed under Sec 39 of the Act, 2016 does not merit consideration as no error apparent from record has been pointed out by the applicant. The fact of having paid the assured return cannot be brought on record at this belated stage. Therefore, authority observes that there is no clerical error apparent from the record and accordingly, the rectification application dated 17.12.2024 is dismissed being not maintainable.

Ordered accordingly. The file be consigned to registry.

Ashok Sangwan
Member

Arun Kumar
Chairman
11.02.2025

Vijay Kumar Goyal
Member