



PROCEEDINGS OF THE DAY		56
Day and Date	Friday and 24.01.2025	
Complaint No.	MA NO. 1089/2024 in CR/4298/2023 Case titled as Subhash Yadav VS BPTP Limited	
Complainant	Subhash Yadav	
Represented through	Shri Ashish Budhiraja Advocate	
Respondent	BPTP Limited	
Respondent Represented	Shri Harshit Batra Advocate	
Last date of hearing	Application u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings

The present complaint was disposed of vide order dated 22.11.2024 allowing the delay possession charges @ 11.10% p.a. from the due date of possession i.e., 12.05.2013 till the date of handing over of possession i.e., till 29.01.2021 as per section 18(1) of the Act of 2016 read with Rule 15 of the Rules, ibid.

The respondent on 30.12.2024 filed an application for rectification of the proceeding dated 22.11.2024 w.r.t the correction of due date. Moreover, the authority further observes that in the proceeding dated 22.11.2024 the date upto which DPC is allowed is wrongly mentioned. The authority is proposing following rectification as under:

Sr. No.	Matter sought to be rectified	Details as per proceeding dated 22.11.2024	Changes proposed
1.	Due date of possession [as per application filed by respondent]	12.05.2013	14.02.2014
2.	Suo Moto rectification by authority w.r.t date till which DPC is payable	Till the date of handing over of possession i.e., till 29.01.2021	Till the date of valid offer of possession (29.01.2021) plus two months i.e., 29.03.2021



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MANO-1031/2024 MCA/1298/23

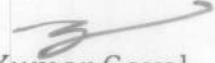
New PWD Rest House, Civil Lines, Gurugram, Haryana

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

The authority observes that as per clause 3 of the flat buyer's agreement executed between the parties, the possession of the subject unit was to be delivered within a period of 36 months from the date of booking/registration of flat. The date of booking/registration of flat is 14.08.2010 hence, the due date of handing over of possession comes out to be 14.02.2014 including grace period of 6 months being unqualified. Moreover, the occupation certificate for the project was received on 15.01.2021 and the possession was subsequently offered on 29.01.2021. Therefore, the delay possession charges should be allowed till the date of valid offer of possession plus two months i.e., 29.03.2021.

The aforesaid errors are clerical in nature and accordingly the rectification in the proceeding dated 22.11.2024 is hereby allowed under section 39. The said changes will be made in detail order dated 22.11.2024.

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

V-1 
Vijay Kumar Goyal
Member
24.01.2025