

PROCEEDINGS OF THE DAY		20
Day and Date	Wednesday and 05.02.2025	
Complaint No.	MA NO. 1015/2024 in CR/5890/2023 Case titled as Poonam Rani Sinha Mujoo and Sunil Mujoo VS Identity Buildtech Private Limited and Others	
Complainant	Poonam Rani Sinha Mujoo and Sunil Mujoo	
Represented through	Ms. Simran Advocate	
Respondent	Identity Buildtech Private Limited and Others	
Respondent Represented	None	
Last date of hearing	Appl. u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings-cum-order

The above-mentioned matter was heard and disposed of vide order dated **13.11.2024**. In the order dated 13.11.2024, the Authority had directed the respondents to complete the work of the subject unit in all aspects and handover physical possession of the unit to the complainants and to pay interest at the prescribed rate of 11.10% p.a. for every month of delay from the due date of possession i.e., 12.06.2018 till the offer of possession plus two months or actual handing over of the possession after obtaining the Occupation Certificate, whichever is earlier, as per Section 18(1) of the Act 2016 read with Rule 15 of the Rules.

The complainants have filed an application for rectification of order dated 13.11.2024 stating that there are few typographical errors being apparent in the judgement uploaded in the present matter and the same be kindly rectified.

The Authority observes that section 39 deals with the *rectification of orders* which empowers the authority to make rectification within a period of 2 years from the date of order made under this Act. Under the above provision,



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MA No. 1015/2024 In CR/589/2023

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

the authority may rectify any mistake apparent from the record and make such amendment, if the mistake is brought to its notice by the parties. The relevant portion of said section is reproduced below.

Section 39: Rectification of orders

"The Authority may, at any time within a 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:

Provided 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."

The Authority is of the view that the all the facts which the complainant prayed to be rectified are part of the pleadings and the submissions made by both the parties. Those facts have been recorded as stated by the parties in the complaint and the reply filed by both the parties and at this stage no changes can be made in the facts stated/submitted by both the parties.

Further, there is an error apparent from the record that the co-allottee name has been inadvertently misspelt in the order dated 13.11.2024 as "Sunil Mujjo" instead of "Sunil Mujoo" and the same stands rectified.

Application is partly allowed. File be consigned to registry.

Ashok Sangwan
Member
05.02.2025