

**PROCEEDINGS OF THE DAY**
**9**

Day and Date

Tuesday and 08.04.2025

Complaint No.

MA NO. 166/2025 in CR/4864/2022 Case titled as Ravi Kaushik VS Pivotal Infrastructure Private Limited

Complainant

Ravi Kaushik

Represented through

Shri Dhruv Lamba Advocate

Respondent

Pivotal Infrastructure Private Limited

Respondent Represented

None

Last date of hearing

Application u/s 39 of the Act

Proceeding Recorded by

Naresh Kumari and HR Mehta

**Proceedings-cum-Order**

The aforesaid complaint was disposed of vide order dated 15.02.2023 of the Authority wherein the complainant was held entitled for delay possession charge along with prescribed rate of interest. An application dated 25.02.2025 was filed by the complainant for rectification of order dated 15.02.2023. Vide said application for rectification of order dated 15.02.2023, the complainant-applicants has sought following rectification:

- The complainant-applicant submitted that the relief of handing over of possession along with delay possession charges were sought in the said complaint. Vide the said order the Authority allowed delayed possession charges but no specific direction was issued w.r.t. handing over of possession of the subject apartment.
- In direction bearing no. "I" (at page 18 of the order) the due date of possession is mentioned is incorrectly mentioned as "Due date of possession i.e., 22.01. till....". Whereas, the correct due date of possession is 22.01.2020.





**HARERA**  
**GURUGRAM**

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

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MANO 106/2025 in CR/4864/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

**Findings of the Authority:**

- i. After due consideration of facts of the case the Authority observes that as far as the due date of possession wrongly mentioned in the order dated 15.02.2023 in direction at para 28 point (i) at page 18 of the order is concerned the same is a typographical error, apparent from the record and clerical in nature and the same is accordingly rectified under the provisions of Section 39 of the Act, 2016, and the due date of possession for the said unit shall be read as "22.01.2020" in place of "22.01."
- ii. Secondly, the Authority is of the considered view that the relief of possession and execution of conveyance deed are inherent in the relief of delay possession charges which stand already allowed vide order dated 15.02.2023. Therefore, it is hereby clarified that besides payment of delayed possession charges in terms of the above order, the respondent is required to hand over the possession of the unit after obtaining of occupation certificate/CC/part CC from the competent authority as per obligations under section 11(4) (b) read with section 17 of the Act, 2016 and thereafter, the complainant is obligated to take the possession within 2 months as per Section 19 (10) of the Act, 2016.

Thus, the aforesaid rectification in detailed order dated 15.02.2023 is allowed under section 39 read with section 38(2) of the Act. This order be read with and in continuation of detailed order dated 15.02.2023.

In view of the above, the rectification application stands disposed of. File be consigned to the registry.

Ashok Sangwan  
Member

V.I. 3  
Vijay Kumar Goyal  
Member

Arun Kumar  
Chairman  
08.04.2025