



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

RECTIFICATION No. 37 of 2025

IN

COMPLAINT NO. 1603 OF 2023

Rachna Grover and Sanjay Grover

COMPLAINANTS(ALLOTTEE)

Versus

TDI Infrastructure Ltd.

RESPONDENT(APPLICANT)

**CORAM: Dr. Geeta Rathee Singh
Chander Shekhar**

**Member
Member**

Date of Hearing: 04.03.2025

Hearing: 1st

Present:- Adv. Ravi Singh , Ld. Counsel for Complainants

Adv. Shubhnit Hans, Ld. Counsel for applicant through VC

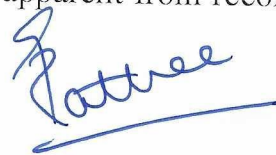
ORDER

1. Present rectification application no. 37 of 2025 has been filed by the applicant/Respondent under section 39 of The RERA ACT,2016 seeking

Geeta Rathee

rectification/review of the final order dated 03.12.2024 passed by the Authority in complaint no. 1603 of 2023, titled as Rachna Grover and Sanjay Grover v/s TDI Infrastructure Ltd. on accounts of error /mistake.

2. Following error has pointed out by Respondent-
 - i. *That the possession was offered to the Complainants by the Respondent Company on 08.12.2017, which was accepted by them and as a result the Complainants wilfully signed the NOC and further as a result Possession certificate was issued on 26.03.2018. Therefore, the Complainants are peacefully enjoying the possession of the said of unit for more than 5 years and 4 months before filing the captioned complaint, which proves that the Complainants had willingly accepted the possession of the said unit in 2018. Therefore, the Complainants are entitled solely to the grant of delay interest from the deemed date of possession until the actual takeover of possession by the Complainants, i.e.26.03.2018*
3. Ld. Counsel for Complainants (allottees) appeared and stated that this rectification application is not maintainable as there is no mistake in order dated 03.12.2024.
4. On perusal of rectification application it reveals that applicant/promoter i.e. TDI Infrastructure Ltd. is not seeking any rectification of typographical error, but he is seeking review of the order by requesting the Authority to reconsider its order as he is disputing that certain submissions of applicant have been over looked/not considered at the time of deciding the order.
5. Authority observe that as per Section 39 of The RERA ACT, 2016 Authority is mandated to rectify mistakes apparent from record. Section 39 reproduces here below-

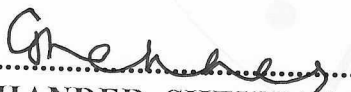


The Authority may, at any time within a period of two years from the date of the order made under this Act, with a view to rectifying any mistake apparent from the record, amend any order passed by it, and shall make such amendment, if the mistake is brought to its notice by the parties:

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.

6. Authority observes, that the present application are in the nature of review application wherein applicant promoter "TDI Infrastructures Ltd." is praying before the Authority to reconsider its earlier decision. Thus, in view of the provision u/section 39 of RERA ACT, 2016 captioned application are **disposed of as decline**. File may be consigned to record room after uploading order on the website of Authority


.....
CHANDER SHEKHAR
[MEMBER]


.....
Dr. GEETA RATHEE SINGH
[MEMBER]