



**HARERA**  
**GURUGRAM**

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

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

PROCEEDINGS OF THE DAY			18
Day and Date		Tuesday and 11.02.2025	
Complaint No.		MA No. 870/2024 in CR/141/2022 Case titled as Amit K Luthra VS Emaar MGF Land Ltd	
Complainant		Amit K Luthra	
Represented through		Shri Arav Kapoor Advocate	
Respondent		Emaar MGF Land Ltd	
Respondent Represented		Shri Anshul Mittal Advocate	
Last date of hearing		Appl. u/s 39 of the Act/10.12.2024	
Proceeding Recorded by		Naresh Kumari and HR Mehta	
<b>Proceedings-cum-order</b>			
The applicant/complainant vide application dated 28.10.2024 has requested for rectification of order dated 03.09.2024 in the above captioned complaint which was disposed of by the authority.			
Application dated 28.10.2024 has been filed by the counsel of the complainant w.r.t. correction of amount paid by the respondent to the complainant towards the compensation of delayed possession charges from the above-mentioned complainant: -			
S. No.	Subject matter to be rectified	Existing details on page no. 42 in detailed order dated 03.09.2024	Correct amount
1.	Amount paid by the respondent to the complainant towards the compensation of	Rs.14,08,897/- [Page no. 42, of detailed order]	Rs.5,26,278/- As per statement of account dated 07.12.2020 (as per



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MA NO- 870/2024 in CR/141/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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delayed possession charges	annexure B at page no. 49 of the said application)
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The counsel for the complainant states that the compensation towards delay penalty was only to the extent of Rs.5,26,278/- and remaining amount of Rs.8,72,794/- is towards early payment rebate and an amount of Rs.9825/- in lieu of anti profiteering and hence, the amount of Rs.5,26,278/- only shall be considered as paid towards delay possession charges and the amount of Rs.8,72,794/- and Rs.9825/- respectively shall not be counted towards the paid up amount by the complainant for the purpose of calculation of DPC. The counsel for the complainant also clarifies that prayer for DPC is only on the amount actually paid by the complainant to the respondent. The counsel for the respondent has no objection in this regard.

In view of the above, the respondent is under obligation to pay delay possession charges on the amount actually paid by the complainant (i.e. after deduction of Rs.8,72,794/- and Rs.9825/- early payment rebate and anti profiteering) under section 18 of the Act, 2016 after adjusting an amount of Rs. 5,26,278/- paid by the respondent to the complainant in lieu of delay penalty.

The application shall stand disposed of accordingly. File be consigned to the registry.

Ashok Sangwan  
Member

Arun Kumar  
Chairman  
11.02.2025

V.I. Vijay Kumar Goyal  
Member