



HARERA
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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

62

Day and Date	Tuesday and 18.03.2025
Complaint No.	MA NO. 611/2024 in CR/7117/2022 Case titled as P JOB Mathew and Leena Job Mathew VS Almonds Infrabuild Private Limited
Complainant	P JOB Mathew and Leena Job Mathew
Represented through	Ms. Surbhi Garg Advocate
Respondent	Almonds Infrabuild Private Limited
Respondent Represented	Shri Gaurav Rawat Advocate
Last date of hearing	14.012025/ appl. u/s 39 of the Act
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings-cum-order

The applicant/respondent vide application dated 03.09.2024 have requested for rectification of order dated 10.11.2023 in the above captioned complaint which was disposed of by the authority.

Application dated 03.09.2024 has been filed by the counsel for the respondent w.r.t. adjustment of pre-EMI amount paid by the respondent in amount paid by the complainant.

The respondent herein states that the respondent has paid pre-EMI amount of ₹37,63,886/- to the bank but the same has not been adjusted by the authority in the detailed order directing the respondent to refund the full amount paid by the complainant to the respondent.

Reply to the said rectification application is filed by the complainants on 11.12.2024 stating that there was no mention by the respondent in its pleading.

The authority herein observes that as per the records provided by both at the time of pendency of the complaint there was no mention of having paid the PRE-EMI amount by either of the parties. Although Authority is to be guided by principle of natural justice and hence the amount already paid towards



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~~pre-EMI is otherwise deductible from refundable amount.~~

The counsel for the complainant has filed statement of loan account as on 28.01.2025 issued by the ICICI Bank.

Both the parties agreed that an amount of Rs.27,38,925/- has been paid by the respondent towards pre-EMI interest in lieu of the tripartite agreement and hence the above amount is deductible from the refundable amount in terms of the orders passed by the Authority.

In view of the above, the order stands rectified accordingly. The application stands disposed of. File be consigned to the registry.

Ashok Sangwan
Member

Arun Kumar
Chairman
18.03.2025

Vijay Kumar Goyal
Member