



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

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Day and Date	Wednesday and 16.07.2025
Complaint No.	MA NO. 433/2025 in CR/1010/2024 Case titled as Gaurav Antil VS Sunrays Heights Private Limited
Complainant	Gaurav Antil
Represented through	Shri Sanjeev Kumar Sharma Advocate
Respondent	Sunrays Heights Private Limited
Respondent Represented	Shri Tushar Behmani proxy counsel
Last date of hearing	09.07.2025
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings-cum-order

1. The aforementioned complaint was disposed of by this Authority vide order dated 16.04.2025, wherein the Authority directed the respondent to pay delay possession charges to the complainant against the paid-up amount at the prescribed rate of 11.10% p.a. for every month of delay from the due date of possession, i.e., 16.03.2021 till the date of offer of possession plus two months or actual handover, whichever is earlier, as per Section 18(1) of the Act of 2016 read with Rule 15 of the Rules, 2017. The detailed order pertaining to this matter was duly uploaded on the official website of the Authority on 11.09.2024.
2. The complainant has filed an application bearing MA No. 433/2025 dated 20.05.2025 for rectification of the said order stating that in para 3 of the order dated 16.04.2025, the basic sale price of the unit had been inadvertently recorded to be Rs.14,59,640/- instead of Rs.24,67,870/- and the total amount paid by the complainant had been inadvertently recorded to be Rs.13,29,280/- instead of Rs.22,99,513/-.
3. Perusal of case file reveals that the basic sale price of the unit in question is Rs.24,67,870/- and amount paid by the complainant to the respondent in lieu of the said unit is Rs.22,99,513. Same is evident from payment plan detail report dated 28.05.2024 annexed at page no. 15 of the reply.



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Therefore, it had been inadvertently mentioned in para no. 3 of the order dated 16.04.2025 that the basic sale price of the unit is Rs.14,59,640/- instead of Rs.24,67,870/- and amount paid by the complainant to the respondent is Rs.22,99,513/- instead of Rs.13,29,280/-. It is further noted that the said amounts had also been confirmed by the Authority in its proceedings of the day dated 16.04.2025. Thus, same is a mistake apparent on record and does not constitute amendment of substantive part of order dated 16.04.2025 under Section 39 of the Real Estate (Regulation and Development) Act, 2016. Section 39 of the Real Estate (Regulation and Development) Act, 2016 is reproduced below for ready reference:

"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."

4. Accordingly, the said application dated 23.05.2025 filed by the respondent for rectification of order dated 16.04.2025 is held to be maintainable to the extent of basic sale price of the unit and amount paid by the complainant to the respondent, being covered under the ambit of Section 39 of the Act, 2016, ibid.

5. **Application allowed.** The basic sale consideration and amount paid by the complainant to the respondent shall be read as Rs.22,99,513/- and Rs.24,67,870/-, respectively in para no. 3 of the order dated 16.04.2025 and shall form part of the main order dated 16.04.2025.



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6. Rectification application stands disposed of. File be consigned to the registry.

Ashok Sangwan
Member
16.07.2025