

BEFORE THE HARYANA REAL ESTATE APPELLATE TRIBUNAL

Appeal No.626 of 2023

Date of Decision: August 02,2025

Daljit Singh Dalal, House No. 29, Sector 30, Near Shivam Hospital, Gurugram-122001

Appellant.

Versus

VSR Infratech Pvt. Ltd., Plot No. 14, Ground Floor, Sector 44, Institutional Area, Gurugram-122003

Respondent

Present : Appellant in person.
Mr. Aman Arora, Advocate for the respondent.

CORAM:

Justice Rajan Gupta
Rakesh Manocha

Chairman
Member (Technical)

ORDER:

RAJAN GUPTA, CHAIRMAN:

Present appeal is directed against order dated 29.08.2023, passed by the Authority¹. Operative part thereof reads as under:

*“8. A reference in this regard may be made to the ratio of law laid down by the Haryana Real Estate Appellate Tribunal in case of **Municipal Corporation of Faridabad vs. Rise Projects vide appeal no. 47 of 2022**, decided on 22.04.2022 and wherein it was held that the authority is not empowered to review its orders.*

9. The present complaint was disposed of by the authority on 07.02.2019 and the respondent has filed the present application on 01.03.2023 which is

¹ Haryana Real Estate Regulatory Authority, Gurugram

after the limitation period of 2 years as provided under Section 39 of the Act. Thus, in view of the legal position discussed above, there is no merit in the application dated 01.03.2023 filed by the complainant for rectification/clarification of order and decree dated 07.02.2019 passed by the authority and the same is hereby declined.

10. File be consigned to registry.”

2. The appellant has assailed the aforesaid order. As per him, his plea for rectification of the order dated 07.02.2019 ought to have been allowed. He should have been granted interest compounded every month for the delay caused by the promoter in handing over the possession.

3. Counsel for the respondent submits that the decree passed by the Authority has been fully complied with. In consonance with the same, full payment has been made to the appellant. There was thus no possibility for going beyond the scope of decree.

4. We have heard the appellant and counsel for the respondent and given careful thought to the facts of the case.

5. We find no legal infirmity with the order passed by the Authority. It rejected the application under Section 39 of the Act², same having been filed beyond the statutory period of two years and also on the ground that the appellant was seeking modification of substantive part thereof. It is evident that the complaint was disposed of by the Authority on 07.02.2019 and the appellant filed the instant application on 01.03.2023 i.e. beyond the period of limitation of two years as

² The Real Estate (Regulation and Development) Act, 2016

provided in Section 39 of the Act. The application for rectification of the order is not only mis-conceived but also not maintainable. The Authority has rightly declined the same.

6. The order passed by the Authority is upheld. The appeal is hereby dismissed.

7. Copy of the order be sent to the parties/their counsel and the Authority.

8. File be consigned to records.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Rakesh Manocha
Member (Technical)
(joined through VC)

August 02,2025
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