

गुजरात न्यायालय, अहमदाबाद  
गया मो.डब्ल्यू.डा. विन्नाम गृह, सावल लाईस, गुरुग्राम हरियाणा

PROCEEDINGS OF THE DAY		84
Day and Date	Friday and 30.05.2025	
Complaint No.	MA NO. 372/2025 in CR/4193/2023 Case titled as Ramzee William and Amit Kumar VS Signature Global Homes Private Limited and HDFC Bank Limited	
Complainant	Ramzee William and Amit Kumar	
Represented through	Shri Karan Singh proxy counsel	
Respondent	Signature Global Homes Private Limited and HDFC Bank Limited	
Respondent Represented	Shri Gunjan Kumar Advocate	
Last date of hearing	Application u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
<p style="text-align: center;"><b>Proceedings</b></p> <p>The aforesaid complaint was disposed of vide order dated 27.02.2025 of the authority wherein the complainant was held entitled for delay possession charge along with prescribed rate of interest. An application dated 01.05.2025 was filed by the complainant for rectification of order dated 27.02.2025.</p> <p>Vide said application for rectification of order dated 27.02.2025, the complainants-applicants has sought following rectification-</p> <p>It would be appropriate to refer to the provisions of Section 39 of the Act, 2016 under which the present application has been preferred.</p> <p><b><i>"Section 39: Rectification of orders</i></b></p> <p><i>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 <b>any mistake apparent from the record</b>, amend any order passed by it, and shall make such amendment, if the mistake is brought to its notice by the parties:</i></p> <p><i>Provided that no such amendment shall be made in respect of any order against which an appeal has been preferred under this Act:</i></p>		



**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

MANO 372/2025 in EX/9193/2023

***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."***

Thus, the power conferred under Section 39 of the Act is limited to rectifying clerical or apparent mistakes in the orders issued by this Authority under the Act.

The Authority is of the view that at page 22 of the order dated 27.02.2025 of the instant matter entitlement of delay period interest to be paid by respondent till offer of possession i.e. 28.02.2023 plus 2 months i.e. upto **28.04.2023** had been inadvertently recorded till offer of possession i.e. 28.02.2023 plus 2 months i.e. upto **28.02.2023**. Same is a mistake apparent on record and does not constitute amendment of substantive part of this order under Section 39 of the Real Estate (Regulation and Development) Act, 2016. Therefore, the said application dated 09.01.2025 filed by the complainant for rectification of the said order dated 27.02.2025 is held to be maintainable being covered under the ambit of Section 39 of the Act, 2016, *ibid*. Hence, till offer of possession i.e. 28.02.2023 plus 2 months i.e. upto **28.02.2023** of the said order shall now be read as till offer of possession i.e. 28.02.2023 plus 2 months i.e. upto **28.04.2023**.

Further, the AR for the respondent submits that it has no objection towards the said application for rectification.

Application allowed. This order shall be read as part and parcel of final order dated 27.02.2025.

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

V.13  
Vijay Kumar Goyal  
Member  
30.05.2025