

PROCEEDINGS OF THE DAY		130
Day and Date	Tuesday and 27.05.2025	
Complaint No.	MA NO. 283/2025 in CR/3216/2020 Case titled as Ashwani Kumar VS Ramprastha Estates Private Limited	
Complainant	Ashwani Kumar	
Represented through	None	
Respondent	Ramprastha Estates Private Limited	
Respondent Represented through	Ms. R.Gayatri Mansa and Shri Rajat Gupta Advocates	
Last date of hearing	Application u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
<b>Proceedings-cum-order</b>		
<p>The aforesaid complaint was disposed of vide order dated 24.03.2021 of the authority wherein the complainant was held entitled for DPC along with prescribed rate of interest. An application dated 11.04.2025 was filed by the complainant for rectification of order dated 24.03.2021.</p> <p>Vide said application for rectification of order dated 24.03.2021, the complainants-applicants submitted that the relief sought no.2 specifically with regard to the possession of the unit, which was inadvertently not included in the final order.</p> <p>Arguments heard.</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>		



**HARERA**  
**GURUGRAM**

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

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MANO 283/2025/HCR/3216/2020

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

*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."

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.

In view of the above, rectification application stands disposed of.

File be consigned to the registry.

Ashok Sangwan  
Member

Arun Kumar  
Chairman  
27.05.2025

Vijay Kumar Goyal  
Member