



PROCEEDINGS OF THE DAY

55

Day and Date	Wednesday and 01.10.2025
Complaint No.	MA NO. 575/2025 in CR/5533/2023 Case titled as Shashi Saxena VS Ocean Seven Buildtech Private Limited
Complainant	Shashi Saxena
Represented through	Sh. Bhajan Lal, Advocate
Respondent	Ocean Seven Buildtech Private Limited
Respondent Represented through	Sh. Kanishq Taneja proxy counsel
Last date of hearing	Application under Section 39
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceedings-cum-order

The above-mentioned matter was heard and disposed of vide order dated 30.10.2024 wherein, the Authority had directed the respondent to pay interest 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., 30.05.2022 till valid offer of possession plus 2 months after obtaining occupation certificate from the competent authority or actual handing over of possession, whichever is earlier, as per Section 18(1) of the Act of 2016 read with Rule 15 of the Rules.

The counsel for the complainant has filed an application for rectification of order dated 30.10.2024, stating that at page no.1 of the said order, due to typographical error, incorrect complaint no. CR/5433/2023 has been mentioned, instead of the correct complaint no. CR/5533/2023 and the same has been rightly mentioned on page no.4 of the same order.

The Authority observes that section 39 deals with the *rectification of orders* which empowers the authority to make rectification within a period of 2 years from the date of order made under this Act. Under the above provision, the



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

authority may rectify any mistake apparent from the record and make such amendment, if the mistake is brought to its notice by the parties. The relevant portion of said section is reproduced below.

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."

As the rectification filed by the complainant is clerical in nature, the same is being allowed.

This order shall be read as part and parcel of the final order dated 30.10.2024.

Application stands disposed of. File be consigned to registry.

Ashok Sangwan
Member
01.10.2025