



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

new PWD Rest House, Civil Lines, Gurugram, Haryana

PROCEEDINGS OF THE DAY		67
Day and Date	Tuesday and 14.10.2025	
Complaint No.	MA NO. 599/2025 in CR/1127/2024 Case titled as Jai Gopal and Meena Kumari VS Ansal Housing and Construction Private Limited & Samyak Projects Private Limited	
Complainant	Jai Gopal and Meena Kumari	
Represented through	Shri Himanshu Gautam Advocate	
Respondent	Ansal Housing and Construction Private Limited & Samyak Projects Private Limited	
Respondent Represented through	Ms. Yogita proxy counsel for R1 Ms. Apoorvi proxy counsel for R2	
Last date of hearing	Application u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings-cum-order The present application for rectification, dated 25.08.2025, has been filed by the respondent no. 2 in complaint no. 1127 of 2024, which was previously disposed of vide order dated 06.05.2025. In the said rectification application, the respondent no. 2 requested to rectify the order dated 06.05.2025 to the extent that respondent no. 2 is erroneously made jointly & severally liable as the respondent no. 2 was not the confirming party to the BBA and accordingly modify the operative portion of the judgement by removing the liability fastened upon respondent no. 2. The complainant filed reply to the above said application on 06.10.2025 wherein he states that section 39 of the Act has very limited scope and the said rectification is not clerical in nature.		



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MANA-599/2025 In CR/1127/2024

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

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 authority may rectify any mistake apparent from the record and make such an amendment if the mistake is brought to its notice by the parties. However, the said **rectification cannot be** dealt with since it the said rectification is not an error apparent from record. 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."

In view of the foregoing, the rectification application is dismissed. File be consigned to the registry.

P.S. Saini
Member

Ashok Sangwan
Member
14.10.2025