

PROCEEDINGS OF THE DAY		73
Day and Date	Tuesday and 14.10.2025	
Complaint No.	MA NO. 655/2025 in CR/532/2022 Case titled as Golden Chariot Recreation Private Limited VS Assotech Moonshine Urban Developers Private Limited	
Complainant	Golden Chariot Recreation Private Limited	
Represented through	Shri Ashish Chauhan Advocate	
Respondent	Assotech Moonshine Urban Developers Private Limited	
Respondent Represented	Ms. Neha Yadav Advocate	
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 09.09.2025, has been filed by the complainant in the present matter which was previously disposed of vide order dated 20.05.2025.

In the said rectification application, the complainant requested for indulgence of this Authority on the facts and non-compliance of orders on part of the respondent. The complainant states that the authority mis-interpreted the forensic audit report. If any money is received by any company from any individual the giver is considered as a creditor in the books of accounts of the receiver without any doubt always. Also had there been no transaction between the complainant and Assotech Moonshine then there was no occasion for the respondent company to issue the allotment letters in favour of their complainant. Furthermore, had the transaction been a purely financial transaction the applicant would have been the first to file the claim with the OL. Whereas the complainant approached this honourable authority for



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MANA 655/2025 IN CA/532/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

possession of 23 allotted villas penalties for delay and not for the refund as a financial creditor.

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 the said rectification is not clerical 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