

New PWD Rest House, Civil Lines, Gurugram, Haryana नया पी.डब्ल्यू.डी. विश्राम गृह, सिविल लाईस, गुरुग्राम, हरियाणा

<b>PROCEEDINGS OF THE DAY</b>		<b>60</b>
Day and Date	Tuesday and 25.11.2025	
Complaint No.	MA NO. 725/2025 in CR/866/2024 Case titled as Ashok Gupta VS Munglam Multiplex Private Limited	
Complainant	Ashok Gupta	
Represented through	Shri Sahil Bhardwaj Advocate	
Respondent	Munglam Multiplex Private Limited	
Respondent Represented through	Ms. Shriya Takkar and Ms. Meenal Khanna Advocates	
Last date of hearing	Appl. u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

### **Proceedings-cum-order**

The aforesaid complaint was disposed of vide order dated 27.05.2025 of the authority wherein the following order was passed: -

- The respondent builder is directed to handover the physical possession of the unit within one month after clearing all the outstanding dues to the respondent if any
- The respondent is directed to get the conveyance deed of the allotted unit executed in favour of the complainant in terms of section 17(1) of the Act of 2016 on payment of stamp duty and registration charges as applicable.
- The respondent is not entitled to claim holding charges from the complainant(s)/allottee(s) at any point of time even after being part of the builder buyer's agreement as per law settled by the Hon'ble Supreme Court in Civil appeal nos. 3864-3889/2020 decided on 14.12.2020.

An application dated 24.10.2025 is filed by the complainant for rectification of order dated 27.05.2025. Vide said application for rectification of order dated 20.05.2025, the complainant-applicants is stating that the respondent has withheld the actual physical possession of the allotted unit and is

demanding maintenance charges from the complainant as a pre-condition for handing over the possession of the said unit while calculating the same from the date of bogus possession. The respondent cunningly changed the nomenclature of the previously disallowed holding charges into maintenance charges, thereby attempting to indirectly recover what this Hon'ble Authority had already prohibited in categorical terms.

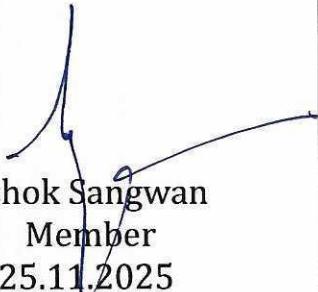
Heard.

The matter has already been heard and disposed of by the Authority vide order dated 27.05.2025. The complainant is alleging non compliance of directions of the Authority. Under the provisions of Section 39 of the Act, this authority has limited mandate to rectify errors apparent from record and cannot pass any further order in the present case. The complainant may file an execution application before the appropriate authority for execution of the order passed by the Authority.

Application u/s 39 of the Act is dismissed accordingly. File be consigned to the registry.



P.S. Saini  
Member



Ashok Sangwan  
Member  
25.11.2025