

PROCEEDINGS OF THE DAY
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Day and Date	Wednesday and 03.12.2025
Complaint No.	MA NO. 557/2025 in CR/4597/2024 Case titled as Suman Gupta and Chander Gupta VS Forever Buildtech Private Limited
Complainant	Suman Gupta and Chander Gupta
Represented through	Sh. Garvit Gupta, Advocate
Respondent	Forever Buildtech Private Limited
Respondent Represented through	Ms. Anjalika Sharma, Advocate
Last date of hearing	Application U/s 39 of the Act/29.10.2025
Proceeding Recorded by	H.R. Mehta & Kiran Chhabra

Proceedings-cum-Order

1. The above-mentioned matter was heard and disposed of by the Authority vide its order dated 16.07.2025, wherein the Authority had directed the respondent to pay interest to the complainants 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., 18.11.2021 till the date of offer of possession plus two months i.e., 01.08.2022 as per Proviso to Section 18(1) of the Act read with Rule 15 of the Rules, ibid.
2. Subsequently, the complainants have filed an application dated 04.08.2025, for rectification of the said order dated 16.07.2025 under Section 39 of the Act. The complainants have prayed for correction of the project name, which had been wrongly recorded as 'Roselia-2' instead of 'Roselia-1'. It is further submitted that the complainants were allotted "Unit No. I-205, Second Floor, Tower I", however, in the impugned order dated 16.07.2025, the unit number was erroneously mentioned as 'I-1205' in the title of the order.

Therefore, the complainants seek necessary corrections in the order passed by the Authority on 16.07.2025 in the interest of justice.

3. Before proceeding with the matter, it would be appropriate to refer to the provisions of Section 39 of the Act, 2016 under which the present application has been preferred.

"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."

4. The Authority is of the view that name of the project had been inadvertently recorded to be 'Roselia-2" instead of "Roselia-1" in para no. 2 serial no.1 of table showing unit and project details at page no. 2 of order dated 16.07.2025. Further, unit no. had been inadvertently recorded to be 'I-1205" instead of "I-205" in title of the order at page no. 1 of the said order. Same are mistakes apparent on record and does not constitute amendment of substantive part of this order under Section 39 of the Real Estate (Regulation and Development) Act, 2016.

5. Therefore, the said application dated 25.07.2025 filed by the complainant for rectification of the said order dated 04.08.2025 is held to be partially maintainable being covered under the ambit of Section 39 of the Act, 2016, *ibid*. Hence, project name "Roselia-2" written at page no. 2 of the said order shall now be read as "Roselia-1" and "Unit no. I-1205" mentioned at page no.1 in title of the order shall now be read as "Unit no. I-205".

New PWD Rest House, Civil Lines, Gurugram, Haryana

नया पी.डब्ल्यू.डी. विकास गृह, सिविल लाईस, गुरुग्राम, हरियाणा

6. Application allowed. This order shall be read as part and parcel of final order dated 16.07.2025.
7. Rectification application stands disposed of. File be consigned to the registry

Ashok Sangwan
Member
03.12.2025