

PROCEEDINGS OF THE DAY
S7

Day and Date	Friday and 12.12.2025
Complaint No.	MA No. 837/2025 in CR/5083/2023 in Case titled as Dinesh Narula V/S Vatika Limited
Complainant	Dinesh Narula
Represented through	Ms. Shriya Takkar Advocate
Respondent	Vatika Limited
Respondent Represented	Ms. Ankur Berry Advocate
Last date of hearing	Application u/s 39 of the Act
Proceeding Recorded by	Naresh Kumari and HR Mehta

Proceeding-cum-order

1. The above-mentioned matter was heard and disposed of by the Authority vide its order dated 09.07.2025, wherein the Authority has directed the respondent to pay the amount of assured return at the agreed rate i.e., @ 65/- per sq. ft. per month from the date the payment of assured return has not been paid i.e., 01.10.2018 till the completion of construction of the building i.e., after obtaining occupation certificate from the competent authority and thereafter, ₹65/- per sq. ft. per month after the completion of construction of the building till the date the said unit is put on lease or for the first 36 months after the completion of the project, whichever is earlier in terms of the buyer's agreement dated 16.04.2012.
2. Thereafter, complainant filed a rectification application dated 08.09.2025 for rectification of said order dated 09.07.2025. The said rectification application filed by the respondent was decided by the Authority vide order dated 03.12.2025, allowing the following rectifications:

- It is observed that there is inadvertent error in the Order dated 09.07.2025 where the facts of the complaint are inadvertently mentioned as "the complainant had purchased 5 units admeasuring 2500 sq. ft" The correct facts are "the complainant had purchased 6 units admeasuring 3000 sq. ft.
- It is observed that there is inadvertent error in the Order dated 09.07.2025 where the date of filing of amendment relief application is incorrectly mentioned as 15.10.2023. The correct date is 15.10.2024.
- The Correct no.'s of complaints are given below:

Sr.no.	CR. No.	AR payable per month as per addendum agreement	DPC payable per month as per the RERA Act
1.	CR/5077/2023	Rs.32,500/-	Rs. 21,456/-
2.	CR/5077/2023	Rs.32,500/-	Rs. 21,456/-
3.	CR/5077/2023	Rs.32,500/-	Rs. 21,456/-
4.	CR/5077/2023	Rs.32,500/-	Rs. 21,456/-
5.	CR/5077/2023	Rs.32,500/-	Rs. 21,456/-
6.	CR/5077/2023	Rs.32,500/-	Rs. 21,456/-

- Herein, the complainant has filed another rectification application dated 11.12.2025 for rectification of the order dated 03.12.2025, stating that the complaint numbers were inadvertently mentioned to be CR/5077/2023 in all the six complaint cases.
- 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.”

5. The Authority is of the view that complaint no.'s had been inadvertently recorded to be "CR/5077/2023" in para no. 3 of the proceedings-cum-order dated 03.12.2025. Same is a mistake 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.
6. Therefore, para no. 3 of the proceedings-cum-order dated 03.12.2025 shall now be read as under:

<i>Sr.no.</i>	<i>CR. No.</i>	<i>AR payable per month as per addendum agreement</i>	<i>DPC payable per month as per the RERA Act</i>
1.	<i>CR/5077/2023</i>	<i>Rs.32,500/-</i>	<i>Rs. 21,456/-</i>
2.	<i>CR/5078/2023</i>	<i>Rs.32,500/-</i>	<i>Rs. 21,456/-</i>
3.	<i>CR/5079/2023</i>	<i>Rs.32,500/-</i>	<i>Rs. 21,456/-</i>
4.	<i>CR/5080/2023</i>	<i>Rs.32,500/-</i>	<i>Rs. 21,456/-</i>
5.	<i>CR/5081/2023</i>	<i>Rs.32,500/-</i>	<i>Rs. 21,456/-</i>
6.	<i>CR/5083/2023</i>	<i>Rs.32,500/-</i>	<i>Rs. 21,456/-</i>

7. The said application dated 11.12.2025 filed by the respondent for rectification of the said proceedings-cum-order dated 03.12.2025 is **held to be maintainable** being covered under the ambit of Section 39 of the Act, 2016, ibid. This order shall be read as part and parcel of proceedings-cum-order dated 03.12.2025 and order dated 09.07.2025.
8. Rectification application stands disposed of. File be consigned to the registry.



Ashok Sangwan
Member
12.12.2025