



**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

<b>PROCEEDINGS OF THE DAY</b>		<b>92</b>
Day and Date	Tuesday and 27.01.2026	
Complaint No.	MA NO. 852/2025 in CR/1993/2024 Case titled as Brij Mohan Negi VS Advance India Projects Limited & Anant Raj Limited	
Complainant	Brij Mohan Negi	
Represented through	Shri Gaurav Rawat Advocate	
Respondent	Advance India Projects Limited & Anant Raj Limited	
Respondent Represented	Shri Harshit Batra Advocate	
Last date of hearing	Application u/s 39 of the Act	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

**Proceedings-cum-order**

1. An application dated 17.12.2025, has been filed by the respondent no.1 i.e., M/s. Advance India Projects Ltd seeking rectification of the order dated 09.09.2025 under section 39 of the Act, 2016 passed by the Authority wherein it is stated that in the order dated 09.09.2025, in para 17 of the order dated 09.09.2025, the Authority had observes and held that the Termination of the unit had been made due to the non-payment after issuance of the Pre-Termination Letter dated 24.01.2024 and hence the Termination Letter dated 17.04.2024 stood valid and the respondent was directed to refund the paid up amount of Rs.50,56,584/- after deducting the earnest amount which shall not exceed 10% of the same consideration.
2. The respondent no.1 submitted that it had also paid an assured return amounting to Rs.14,60,534/- to the complainant and the same was part of the pleading at page no. 148-151 of the reply. However, the Authority inadvertently failed to mention the deduction of the Assured Return amount paid by respondent no.1. While pronouncing the order, the Authority allowed the adjustment of Assured Return already paid to the complainant. However, the Authority inadvertently omitted to give any



HARERA  
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY  
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MANA-852/2025 INCR/1993/2024

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

direction regarding the adjustment of the said amount in the detailed order.

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 observes that in the daily order/zimni order dated 09.09.2025, it has been clearly recorded that the respondent is directed to refund the amount paid by the complainant after deducting 10% of the sale consideration with interest at the prescribed rate of interest i.e., 10.85% per annum on the balance amount from the date of final cancellation of the unit, after adjusting the Assured return already paid by the complainant. The same is reproduced below:

*Order pronounced.*

*The cancellation is valid.*

*The respondent is directed to refund the amount paid by the complainant after deducting 10% of the sale consideration with interest at the prescribed rate of interest i.e., 10.85% per annum on the balance amount from the date of final cancellation of the unit, after adjusting the Assured return already paid by the complainant.*

*Detailed order will follow. Matter stands disposed off.*

[Emphasis supplied]

5. In the detailed order dated 09.09.2025, it has been inadvertently mentioned that the respondent is directed to refund the paid-up amount of Rs.50,56,584/- after deducting the earnest money which shall not exceed the 10% of the sale consideration of Rs.65,88,692/- along with interest at the prescribed rate i.e., 10.85% on the balance amount from the date of cancellation i.e., 17.04.2024 till the actual date of realization. The same is reproduced below:



HARERA  
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY  
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MAN/2852/2025 INCR/1443/2024

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

a. *The respondent is directed to refund the paid-up amount of Rs.50,56,584/- after deducting the earnest money which shall not exceed the 10% of the sale consideration of Rs.65,88,692/- along with interest at the prescribed rate i.e., 10.85% on the balance amount from the date of cancellation i.e., 17.04.2024 till the actual date of realization.*

[Emphasis supplied]

6. The Authority is of the view that in the detailed order dated 09.09.2025, it has been inadvertently failed to mention the deduction of the Assured Returns paid by the respondent to the complainant. The adjustment of the Assured return amount has already been recorded in the Zimni order dated 09.09.2025. The same being an error apparent from the record is allowed.
7. Application stands disposed of.
8. File be consigned to the registry.

P.S. Saini  
Member

Arun Kumar  
Chairman  
27.01.2026