

<b>PROCEEDINGS OF THE DAY</b>		<b>91</b>
Day and Date	Tuesday and 13.01.2026	
Complaint No.	MA NO. 670/2025 in CR/4563/2022 Case titled as Kapil Bhagi and VMP Bhagi VS Ansal Housing and Construction Limited	
Complainant	Kapil Bhagi and VMP Bhagi	
Represented through	Ms. Deepika proxy counsel	
Respondent	Ansal Housing and Construction Limited	
Respondent Represented	Shri Karan proxy counsel	
Last date of hearing	Application u/s 39 of the Act/9.12.2025	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

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

1. An application dated 17.09.2025, has been filed by the complainants seeking rectification of the order dated 01.04.2025 under section 39 of the Act, 2016 passed by the Authority wherein it is stated that in the order dated 01.04.2025, it has been erroneously recorded at page no. 3 of the order that the total amount paid by the complainants is Rs.75,16,464/-. However, the actual amount is Rs.80,82,676/-. The complaint was filed on 17.06.2022, at the time of filling of the complaint, the complainants had paid Rs.75,16,475/-, thereafter, on 06.08.2022 the complainants paid an amount of Rs.4,17,092/- and Rs.1,49,109/- on 03.11.2022 to respondent no.2. Thus, the total amount paid by the complainants till date is Rs.80,82,676/-. The complainants have already brought this fact into the notice of the Authority at the time of filing of the written submissions at para no. 4.
2. Vide proceedings dated 04.11.2025 and 09.12.2025, the counsel for the respondent sought adjournment to file reply to the application dated 17.09.2025. Despite, the opportunities being granted, the respondent failed to file reply to the same.
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.



**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

**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 the present complaint was disposed off vide order dated 01.04.2025. In the detailed order dated 01.04.2025, the amount paid by the complainant has been inadvertently mentioned as Rs.75,16,474/- . The actual amount paid by the complainant is Rs. Rs.80,82,676/-. The complainant had paid an amount of Rs.4,17,092/- on 06.08.2022 and Rs.1,49,109/- on 03.11.2022 to respondent no.2 i.e., m/s. Samyak Projects Pvt Ltd. and the receipts of the same were annexed alongwith the written submissions filed by the complainant as the abovesaid payments were made by the complainant after the filing of the complaint.
5. The rectification sought is **allowed**, as the same is an error apparent from the record.
6. The application stands disposed of.
7. File be consigned to the registry.

Arun Kumar  
Chairman  
13.01.2026