



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

(Reopened for deciding application u/s 39 of RERA Act, 2016)
COMPLAINT NO. 1826 of 2024

Sunil Kumar SrivastavaCOMPLAINANT

VERSUS

Housing Board HaryanaRESPONDENT

CORAM: **Parneet Singh Sachdev** **Chairman**
 Dr. Geeta Rathee Singh **Member**

Date of Hearing: 30.04.2026

Hearing: 1st (re-open)

Present: Adv. T.P.S Chauhan, counsel for the complainant, in person.
None for the respondent

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ORDER (PARNEET S SACHDEV - CHAIRMAN)

1. The present rectification application dated 25.03.2026 has been filed by the complainant, through his counsel, Sh. TPS Chauhan seeking rectification of the order dated 09.03.2026 under Section 39 of the Real Estate (Regulation and Development) Act, 2016.
2. In the said application, ld. counsel for the complainant submits that the order dated 09.03.2026 pertains to multiple connected bunch matters, however, the present case bearing no. 1826/2024 is distinct from the other four cases. It is further submitted that an amount of ₹1,59,500/- received on 28.08.2025 was inadvertently not brought on record at the time of passing of the said order.
3. Before examining the contention, it is necessary to refer to Section 39 of the Act. The provision empowers the Authority to rectify a mistake apparent from the record. It is pertinent to reproduce Section 39 of the Real Estate (Regulation and Development) Act, 2016, which states as follows:

“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:

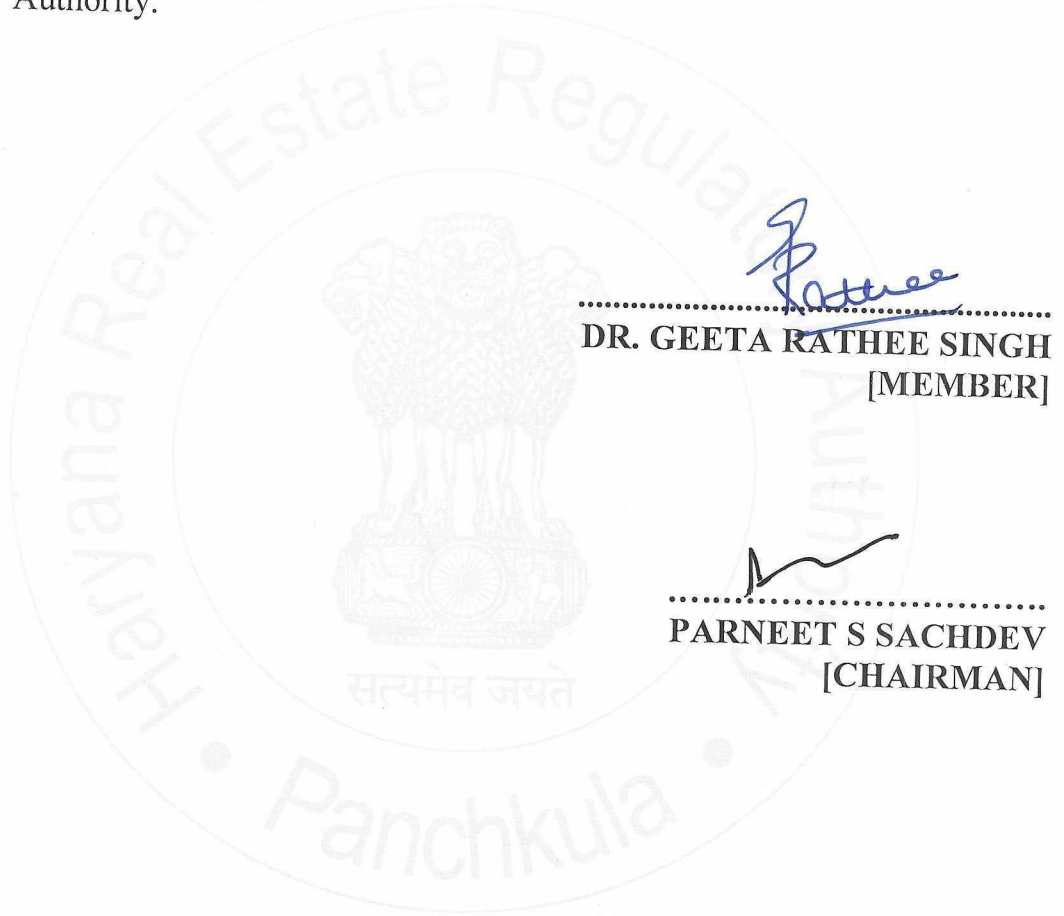


Provided further that the Authority shall not, while rectifying any mistake apparent from record, amend substantive part of its order passed under the provisions of this Act.”

4. Section 39 empowers the Authority to rectify only those mistakes that are apparent from the record. The word “record” referred to in Section 39 does not refer solely to the order of the Authority, but also includes all proceedings on which the order is based. ‘Record’ encompasses all the documents present in the file as on the date of passing of the order. However, once the order is passed by the Authority and the file is closed, there is no scope for making additions to the ‘record’.
5. In the present case, the complainant seeks rectification on the basis of a receipt which was not part of the record at the time of passing of the final order dated 09.03.2026. It is pertinent to note that during the course of proceedings, the complainant was given adequate opportunities to place on record all receipts along with a complete statement of accounts. However, the complainant failed to disclose or produce the said receipt reflecting the amount allegedly received by them at the relevant stage. It is well settled that the power of rectification is limited to correcting errors apparent on the face of the ‘record’ attributable to the Authority.



6. In view of the foregoing, the present rectification application does not meet the requirements of Section 39 of the Act and is therefore devoid of merit.
7. Accordingly, the application seeking rectification of the final order dated 09.03.2026 is hereby **disposed of as rejected**. File be consigned to the record room after uploading this order on the website of the Authority.



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DR. GEETA RATHEE SINGH
[MEMBER]

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PARNEET S SACHDEV
[CHAIRMAN]