

PROCEEDINGS OF THE DAY		43
Day and Date	Thursday and 19.03.2026	
Complaint No.	MA NO. 739/2025 in CR/4581/2024 Case titled as Narain Dass VS Elan Limited	
Complainant	Narain Dass	
Represented through	Ms. Aishwarya Dobhal Advocate	
Respondent	Elan Limited	
Respondent Represented	Shri Ishaan Dang Advocate	
Last date of hearing	Appl. u/s 39 of the Act/05.02.2026	
Proceeding Recorded by	Naresh Kumari and HR Mehta	

Proceedings-cum-order

The present matter was heard and finally disposed of vide order dated 11.09.2025.

Thereafter, the complainant has preferred an application dated 29.10.2025 under section 39 of the Real Estate (Regulation and Development) Act, 2016 seeking rectification of the order dated 11.09.2025.

Through the aforesaid application, the complainant has contended that the Authority has treated the letter dated 18.10.2022 as an offer of possession, whereas the said letter was merely an intimation regarding receipt of occupation certificate for the project. It has been averred that the respondent never issued any independent offer of possession letter nor completed the requisite formalities or handed over possession of the unit to the complainant

The respondent has filed reply to the application on 06.02.2026 through which the respondent contended that the application dated 29.10.2025 filed by the complainant is not maintainable as the said application does not fall under the preview of section 39 of the Act, 2016.

Arguments heard.

Upon perusal of the application and the record, it is observed that the grievances raised by the complainant do not relate to any clerical or



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियमक प्राधिकरण, गुरुग्राम
MANA-139/2025 IN CR/458/2024

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

arithmetical mistake or an error apparent on the face of record, which alone can be rectified under section 39 of the Act, 2016. Rather, the complainant is seeking reconsideration of the findings already recorded by this Authority, which amounts to a review of the order, a power not vested with the Authority under section 39 of the Act.

Accordingly, as the relief sought does not fall within the scope and ambit of Section 39 of the Real Estate (Regulation and Development) Act, 2016, the application for rectification is hereby dismissed.

File be consigned to the registry.


P.S. Saini
Member
19.03.2026