



HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: www.haryanarera.gov.in

(Reopened for deciding application u/s 39 of RERA Act, 2016)

Name of the Builder/ Respondent		M/s Crown Realtech Pvt. Ltd.		
Project Name		Crown Business Park		
Sr. no.	Complaint no.	Title of the case	Appearance on behalf of the complainant (through VC)	Appearance on behalf of the respondent (in person)
1.	30 of 2026	Ajay Parkash Sharma Versus 1. Crown Realtech Private Ltd (Crown Business Park, Sec 37 Faridabad) 2. Crown Abacus It Park Association 3. Monitoring Committee Chairman Through Mr Atul Kumar Kansal	Adv. Vinay Kumar, counsel for the complainant through VC	Adv. Sahil Yadav, counsel for the respondent through VC
2.	31 of 2026	Sarika Mendiratta Versus 1. Crown Realtech Private Ltd (Crown Business Park, Sec 37 Faridabad) 2. Crown Abacus It Park Association 3. Monitoring Committee Chairman Through Mr Atul Kumar Kansal	Adv. Vinay Kumar, counsel for the complainant through VC	Adv. Sahil Yadav, counsel for the respondent through VC
3.	32 of 2026	Karuna Malhotra Through GPA Holder Mr. Prem Nath Malhotra Versus 1. Crown Realtech	Adv. Vinay Kumar, counsel for the complainant through VC	Adv. Sahil Yadav, counsel for the respondent through VC

		Private Ltd (Crown Business Park, Sec 37 Faridabad) 2. Crown Abacus It Park Association 3. Monitoring Committee Chairman Through Mr Atul Kumar Kansal		
4.	33 of 2026	Manisha Mehta Versus 1. Crown Realtech Private Ltd (Crown Business Park, Sec 37 Faridabad) 2. Crown Abacus It Park Association 3. Monitoring Committee Chairman Through Mr Atul Kumar Kansal	Adv. Vinay Kumar, counsel for the complainant through VC	Adv. Sahil Yadav, counsel for the respondent through VC
5.	34 of 2026	Chander Parkash Sharma and Renu Sharma Versus 1. Crown Realtech Private Ltd (Crown Business Park, Sec 37 Faridabad) 2. Crown Abacus It Park Association 3. Monitoring Committee Chairman Through Mr Atul Kumar Kansal	Adv. Vinay Kumar, counsel for the complainant through VC	Adv. Sahil Yadav, counsel for the respondent through VC
6.	35 of 2026	Virat Joneja and Samrat Joneja Versus 1. Crown Realtech Private Ltd (Crown Business Park, Sec 37 Faridabad) 2. Crown Abacus It Park Association 3. Monitoring Committee Chairman Through Mr Atul Kumar Kansal	Adv. Vinay Kumar, counsel for the complainant through VC	Adv. Sahil Yadav, counsel for the respondent through VC



7.	36 of 2026	Shiva Fabricator and Traders through its proprietor Mr. Lokesh Mehta Versus 1. Crown Realtech Private Ltd (Crown Business Park, Sec 37 Faridabad) 2. Crown Abacus It Park Association 3. Monitoring Committee Chairman Through Mr Atul Kumar Kansal	Adv. Vinay Kumar, counsel for the complainant through VC	Adv. Sahil Yadav, counsel for the respondent through VC
8.	37 of 2026	Suman Ohri and Rajender Kumar Ohri Versus 1. Crown Realtech Private Ltd (Crown Business Park, Sec 37 Faridabad) 2. Crown Abacus It Park Association 3. Monitoring Committee Chairman Through Mr Atul Kumar Kansal	Adv. Vinay Kumar, counsel for the complainant through VC	Adv. Sahil Yadav, counsel for the respondent through VC

CORAM:

Parneet S Sachdev
Dr. Geeta Rathee Singh
Chander Shekhar

Chairman
Member
Member

Date of Hearing: 06.08.2026**Hearing:** 1st (re-opened)**ORDER (PARNEET S SACHDEV - CHAIRMAN)**

1. The present application has been filed by the complainant/applicant on 07.04.2026, under Section 39 of the Real Estate (Regulation and Development) Act, 2016, seeking rectification of the final order dated 30.03.2026 passed by this Authority.



2. Vide the said application, the applicant has submitted that the matters were decided on 30.03.2026 and have raised objections to the observations regarding relegation of the disputes to the jurisdiction of the Hon'ble NCLT. It has been contended that the Corporate Insolvency Resolution Process has already concluded and the Resolution Plan approved by the Hon'ble NCLT has attained finality. The applicant has further submitted that the timelines prescribed under the approved Resolution Plan for completion of the project have expired and that the project remains incomplete. The applicant has further contended that the Authority continues to have regulatory jurisdiction over the project under the provisions of the Real Estate (Regulation and Development) Act, 2016 and have prayed for reconsideration of the findings recorded in the order dated 30.03.2026. The applicants have also sought issuance of appropriate directions for completion of the project, including exercise of powers under Section 8 of the RERA Act, 2016, and other consequential reliefs.
3. Upon consideration of the application, this Authority finds that the applicant is not seeking rectification of any typographical, clerical or arithmetic mistake apparent from the face of the record. Rather, the applicant seeks reconsideration of the findings recorded in the final order. The relief sought amounts to a review of the substantive findings and operative directions contained in the final order, which is beyond the scope of Section 39 of the Act.



4. Section 39 of the Real Estate (Regulation and Development) Act, 2016 empowers the Authority to rectify only a mistake apparent from the record. The second proviso specifically provides that while rectifying such a mistake, the Authority shall not amend the substantive part of its order. Thus, the power under Section 39 is confined to patent errors such as clerical, typographical or arithmetic mistakes and cannot be exercised to revisit findings rendered on merits. Section 39 reads as under:

“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 Hon’ble Supreme Court in ***Asharfi Devi (D) Thr. LRs. v. State of U.P. & Ors.***, (2019) 5 SCC 86, relying upon ***Satyanarayan Laxminarayan Hegde v. Mallikarjun Bhavanappa Tirumale***, AIR 1960 SC 137, has held that an error apparent on the face of the record must be one which is evident on a mere perusal of the record and does not require a long-drawn process of reasoning. Likewise, in ***Parison Devi v. Sumitri Devi***, (1997) 8 SCC 715, the Hon’ble Supreme Court held that a petition for rectification cannot be permitted to become “*an appeal in disguise.*”

6. It is also pertinent to note that, while passing the final order dated 30.03.2026, this Authority had already considered and decided the applicant's objections regarding maintainability of the complaint and jurisdiction of this Authority in detail under head E of the said order. The relevant observations are reproduced below:

"17. From a perusal of the complaint, it is evident that the Respondent No.1 underwent Corporate Insolvency Resolution Process (CIRP) and a Resolution Plan was approved by the Hon'ble National Company Law Tribunal (NCLT), New Delhi vide order dated 21.02.2023. The said Resolution Plan prescribed specific timelines and obligations for completion of Towers B-1 and B-2 and also contemplated the constitution of a Monitoring Committee for implementation of the plan. The complainant has repeatedly relied upon the terms of the Resolution Plan, the timelines fixed therein, and the subsequent extension granted by the Hon'ble NCLT vide order dated 28.08.2024.

18. A conjoint reading of the pleadings shows that the core grievance of the complainant is that the Respondents have failed to implement the Resolution Plan approved by the Hon'ble NCLT, have not complied with the timelines stipulated therein and have failed to carry out the obligations cast upon them under the said plan. Thus, the cause of action pleaded by the complainant is intrinsically linked with the alleged non-implementation and breach of the Resolution Plan approved by the Hon'ble NCLT.

19. The Authority further notes that the reliefs sought by the complainant include directions to complete the project, payment of assured returns allegedly contemplated under the Resolution Plan, refund of remuneration paid to the Monitoring Committee, and a prayer seeking involvement of a Government agency such as NBCC for completion of the project. These reliefs clearly demonstrate that the complainant is, in substance, seeking enforcement and implementation of the Resolution Plan and supervision of its execution.

20. It is a settled legal position that once a Resolution Plan is approved by the Hon'ble NCLT under the provisions of the Insolvency and



Bankruptcy Code, 2016, the same attains binding force on the corporate debtor and all stakeholders, including allottees. Any grievance relating to implementation, execution, supervision or breach of the Resolution Plan falls within the exclusive jurisdiction of the Adjudicating Authority under the IBC. The Authority under the Real Estate (Regulation and Development) Act, 2016 cannot sit in appeal over the orders of the Hon'ble NCLT nor can it issue directions which would amount to execution or modification of the Resolution Plan.

21. The powers of this Authority under the Real Estate (Regulation and Development) Act, 2016 are regulatory in nature and are confined to ensuring compliance with the provisions of the Act and the rules framed thereunder. The Authority does not possess the jurisdiction to execute or enforce orders passed by the Hon'ble NCLT, to supervise the functioning of a Monitoring Committee constituted under the Resolution Plan, or to issue directions for implementation of obligations flowing from such Resolution Plan.

22. The Authority is therefore of the considered view that entertaining the present complaint and granting the reliefs sought would, in effect, amount to exercising jurisdiction over the implementation and execution of the Resolution Plan approved by the Hon'ble NCLT, which is impermissible in law. Any grievance regarding non-implementation or breach of the Resolution Plan is required to be agitated before the Hon'ble NCLT under the appropriate provisions of the Insolvency and Bankruptcy Code, 2016, and the appellate remedy, if any, lies before the Hon'ble NCLAT.

23. In view of the above discussion, the Authority holds that the present complaint is not maintainable before this Authority and the complainant is at liberty to seek appropriate remedy before the competent forum under the Insolvency and Bankruptcy Code, 2016.

*The complaints accordingly stands **disposed**. File be consigned to the record room after uploading of the order on the website of the Authority. "*

7. Thus, the very grounds raised in the present application have already been considered and decided in the final order dated 30.03.2026. Proceedings

under Section 39 cannot be invoked to re-agitate issues already adjudicated on merits. The power of rectification is confined to correction of mistakes apparent from the face of the record and does not extend to review or reconsideration of findings already recorded by the Authority.

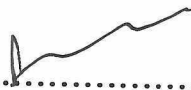
8. In view of the foregoing discussion, the present application seeking rectification of the final order dated 30.03.2026 is devoid of merit and is hereby rejected.

9. Accordingly, the cases stand **disposed of**.

File be consigned to the record room after uploading this order on the website of the Authority.


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CHANDER SHEKHAR
[MEMBER]


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DR. GEETA RATHEE SINGH
[MEMBER]


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PARNEET S SACHDEV
[CHAIRMAN]