



HARERA
GURUGRAM

Execution No. E/7158/2022

**BEFORE THE HARYANA REAL ESTATE REGULATORY
AUTHORITY, GURUGRAM**

Date of Decided 05.08.2026

Case No.	Case title	APPEARANCE
E/7158/2022	Girish Sharma & Anr. V/s BPTP Ltd. & Anr.	Mr. Sukhbir Yadav (counsel for DH) and Mr. Venkat Rao (counsel for JD)

CORAM:

Shri Phool Singh Saini

Member

ORDER

1. The above-mentioned execution was heard and disposed of vide order dated 07.01.2025 by the Executing Court. The relevant portion is produced below for ready reference:
"It is submitted by the Learned Counsels for both the parties that matter has been settled between the parties. Statement of learned counsel for DH is recorded separately. Learned counsel for DH requests to withdraw the execution petition. As matter having been settled between the parties, request is allowed. Execution petition is dismissed as withdrawn. File be consigned to the record room."
 2. The JD has filed an application for rectification of the order dated 07.01.2025 seeking that JD company never stated at bar that the matter has been settled between the parties rather there remains some amount recoverable from the DH.
 3. On the other hand, the counsel for DH on 22.07.2026 states that execution petition was filed by DH and the entire amount of Rs. 40.00 lakhs along with interest, has already been recovered from JD. The JD has settled the matter and execution petition was withdrawn by DH and requests for dismissal of application filed by the JD.
- A. Findings of the Authority:**
4. In view of the facts stated above and arguments advanced by the parties during the course of hearing dated 22.07.2026, the Authority observes



that section 39 deals with the *rectification of orders* which empowers the authority to make rectification within a period of 2 years from the date of order made under this Act. Under the above provision, the Authority may rectify any mistake apparent from the record and make such amendment, if the mistake is brought to its notice by the parties. However, **rectification cannot be** allowed in two cases, *firstly*, orders against which appeal has been preferred, *secondly*, to amend substantive part of the order. The relevant portion of said section is reproduced below:

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. Since the present application does not involves rectification of any mistake apparent from the record, the Authority declines the rectification application. In light of the afore said circumstances, the rectification application stands dismissed of accordingly. File be consigned to registry.

Dated: 05.08.2026


(Rhool Singh Saini)

Member

Haryana Real Estate
Regulatory Authority,
Gurugram