

Poonam Verma  
Vs.  
Splendor Buildwell Pvt. Ltd.  
CM No.1040 of 2024  
In Appeal No.549 of 2024

Present: Mr. Piyush Bansal, Advocate,  
for the appellant.

Mr. Bansal contends that a short order dated 10.05.2023 was passed by the HRERA, Gurugram, which read as under:

*“Order pronounced.*

*The respondent is directed to refund the deposited amount after deduction of 10% along with prescribed rate of interest i.e. 10.70% per annum from the date of deposit till its realization.*

*Complaint stands disposed off. Detailed order will follow. File be consigned to the registry.*

In the detailed order, the respondent-promoter was directed as under:

- i. The respondent-promoter is directed to refund the amount i.e.61,16,679/- after deducting 10% of the sale consideration of the unit being earnest money as per regulation Haryana Real Estate Regulatory Authority, Gurugram (Forfeiture of earnest money of the builder) Regulation, 2018 along with an interest @ 10.70% p.a. on the refundable amount, from the date of surrender i.e. 03.09.2020 till the date of realization of payment after the Act of 2016.*

Subsequently, the application under Section 39 of the RERA Act was moved by the appellant to seek clarification, same was disposed of on 03.07.2024 with the observations that error in the order dated 10.05.2023 was inadvertent. As per Mr. Bansal, there is no procedure known to law whereby

two orders i.e. short order and detailed order can be passed on the same date. Besides the observation in order dated 03.07.2024 was inadvertent is unacceptable as both orders were passed on the same date.

proceeded by short order can be passed.

Issue notice for 19.12.2024.

Notice re: application (CM No.1040 of 2024)  
seeking condonation of delay as well.

Process be issued for this purpose.

Justice Rajan Gupta  
Chairman  
Haryana Real Estate Appellate Tribunal

19.10.2024  
Manoj Rana