



HARERA
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

PROCEEDINGS OF THE DAY		10
Day and Date	Wednesday and 21.02.2024	
Complaint No.	MA No. 448/2023 in CR/1511/2022 Case titled as Vijay Bhushan Bhardwaj VS IREO PRIVATE LIMITED	
Complainant	Vijay Bhushan Bhardwaj	
Represented through	Shri Garv Malhotra Advocate	
Respondent	IREO PRIVATE LIMITED	
Respondent Represented	Shri M.K. Dang Advocate	
Last date of hearing	Appl. for rectification of order 17.01.2024	
Proceeding Recorded by	Naresh Kumari and HR Mehta	
Proceedings		
<p>The above-mentioned matter was heard and disposed of vide order dated 16.08.2023 wherein, the Authority had directed the respondent to refund the entire amount paid by the complainant along with prescribed rate of interest @10.75 from the date of each payment till the date of refund of the deposited amount.</p> <p>The complainant has filed an application for rectification of order dated 16.08.2023 stating that the present case was a part of bunch matters having similar facts and case titles pertaining to different units in the respondent's project. However, the title of the complaint in case bearing no. CR/1521/2022, was erroneously mentioned as "Kilimanjaro Estates Private Limited versus M/s Ireo Private Limited" instead of "Vijay Bhushan Bhardwaj versus Ireo Private Limited" in final order dated 16.08.2023.</p> <p>The authority observes that section 39 deals with the <i>rectification of orders</i> 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. The relevant portion of said section is reproduced below.</p>		



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MANO 148/2023 IN CR/1511/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

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:

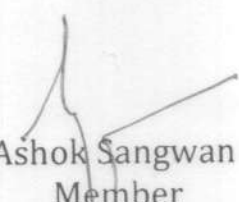
Provided that no such amendment shall be made in respect of any order against which an appeal has been preferred under this Act:

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."

As the rectification filed by the complainant is clerical in nature and the same is allowed.

This order shall be read as part and parcel of the final order dated 16.08.2023.

Application stands disposed of. File be consigned to registry


Ashok Sangwan
Member
21.02.2024