



**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 लाईस, गुरुग्राम, हरियाणा

| <b>PROCEEDINGS OF THE DAY</b>  |  | <b>21</b> |
|--------------------------------|--|-----------|
| Day and Date                   | Tuesday and 25.03.2025   |           |
| Complaint No.                  | MA NO. 1030/2024 in CR/4946/2022<br>Case titled as Dr. Lt. Col. Binny Kohli VS<br>Neo Developers Private Limited |           |
| Complainant                    | Dr. Lt. Col. Binny Kohli   |           |
| Represented through            | Ms. Sapna Malik Advocate   |           |
| Respondent                     | Neo Developers Private Limited   |           |
| Respondent Represented through | S/Shri Venket Rao and Gunjan Kumar<br>Advocates  |           |
| Last date of hearing           | Application u/s 39 of the Act/24.12.2024   |           |
| Proceeding Recorded by         | Naresh Kumari and HR Mehta   |           |

### **Proceedings**

The present complaint was received on 10.08.2022 and reply on behalf of respondent was filed on 17.01.2023.

Application on behalf of the complainant under Section 39 of the Real Estate (Regulation And Development) Act, 2016 for rectification/ modification/ amendment of the Jimny Order Dated 30.07.2024 has been filed.

The complainants states that in 3<sup>rd</sup> paragraph of the jimny order dated 30.07.2024, the aforesaid statements of the Respondent have been recorded as the statements of the Complainant mistakenly and inadvertently. The 3<sup>rd</sup> paragraph of the Jimny order dated 30.07.2024 are reproduced for ready reference as "***the Complainant states that they had purchased 7 units in the present project i.e. 'Neo Square' situated in Gurgaon and had separately applied for the allotment of 2 other residential units in a different project i.e. 'Capital Residency at New Delhi. Due to their personal reasons, the Complainants surrendered their allotment in both projects of the Respondents i.e. Neo Square and Capital Residency and requested for refund of he paid up amount towards the sale consideration of the unit. The Respondent had refunded an amount of Rs.24,20,832/- against the 2 units booked by the Complainants in the project 'Capital Residency' and Rs.5,79,168/- (after deduction of earnest money, assured return already paid to the Complainants etc) against the 7 units booked in the instated project i.e. 'Neo Square'.***"



HARERA  
GURUGRAM

HARYANA REAL ESTATE REGULATORY AUTHORITY  
GURUGRAM

हरियाणा भू-संपदा विनियामक प्राधिकरण, गुरुग्राम

MA No. 1030/2024/CR/4946/2022

New PWD Rest House, Civil Lines, Gurugram, Haryana

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

That it is most humbly submitted that the 3<sup>rd</sup> paragraph of the Jimny order dated 30.07.2024, the aforesaid statements of the Respondent have been recorded as the statements of the Complainant mistakenly and inadvertently as mentioned above. Therefore, it is most humbly prayed that the error(s)/mistake(s)/clerical mistake(s) in the 3<sup>rd</sup> paragraph of the Jimny Order dated 30.07.2024 may be rectified/modified/amended as "The Respondent states that" instead of the Complainant states that for the same as mentioned above.

The counsel for the respondent concedes that the statement attributed to the complainant was made by the respondent except for the last 2 lines of paragraph referred by the complainant for rectification. Accordingly the proceedings are rectified accordingly.

Matter to come up on 27.05.2025 for final arguments.

  
Ashok Sangwan  
Member

  
Arun Kumar  
Chairman  
25.03.2025

  
Vijay Kumar Goyal  
Member