

**BEFORE SHRI BINOD KUMAR SINGH, MEMBER
REAL ESTATE REGULATORY AUTHORITY, PUNJAB**

Complaint No. GCNo 1238 of 2019BF
Date of Decision: 20.12.2022
Execution No. 20 of 2024
Misc application No 03 of 2024
Date of Decision: 04.12.2025

1. Kulwinder Singh Pabla,
2. Mrs. Mandeep Kaur

....complainants

Vs

1. Country Colonisers Pvt. Ltd.,
2. Housing Development Finance Limited

.....Respondents

Present : Sh. Ankit Kumar, Advocate for Sh. Manoj Vashishta, Advocate
for the complainant
Sh. Tejeshwar Singh, Advocate for the respondent

ORDER

The instant application was filed under Section 39 of the Real Estate (Regulation and Development) Act, 2016 (RERA) by the respondent no. 1 for rectification / modification of the order dated 20.12.2022 passed by the Authority.

2. As per the averments in the application, an order was passed by the Authority on 20.12.2022 which was challenged by the respondent no. 1 before the Hon'ble Real Estate Appellate Tribunal (REAT), Punjab vide Appeal No. 14 of 2023 which was dismissed vide order dated 30.10.2023.

3. Thereafter the applicant i.e. respondent no. 1 has moved to Hon'ble Punjab and Haryana High Court vide Appeal No. 2 of 2024 for setting aside of both the orders dated 30.10.2023 passed by REAT as well as order dated 20.12.2022 passed by RERA. Hon'ble Punjab and Haryana High Court vide order dated 08.01.2024, with respect to the applicant's i.e. respondent no. 1 ground that the authorities have wrongly considered the total amount paid by the complainant i.e. Kulwinder Singh Pabla, gave liberty to the respondent no. 1 to get the arithmetic mistake rectified from the Authority. The relevant order passed by Hon'ble Punjab and Haryana High Court is reproduced as:

"However, learned counsel for the appellant has also rained on argument that there is calculation mistake in the order passed by the Courts below:

Needless to say that, if there is any arithmetic mistake qua calculation as mentioned in the order, the appellant would be at liberty to get the same rectified from the concerned authority"

4. As per the order dated 20.12.2022 passed by the Authority, refund of Rs.24,91,604/- with interest has been incorrectly ordered by the Authority by relying upon the averments made by the complainants i.e. Kulwinder Singh Pabla whereas they had paid an amount of Rs.23,01,994/-.

5. The matter was argued by both Ld. Counsels on 04.12.2025 and the complainant agreed that after considering the bank account statement an amount of Rs.23,01,994/- has been paid to the respondent

6. The undersigned has considered the matter. The present application is allowed. Accordingly the order dated 20.12.2022 stands rectified to the effect that the principle amount of Rs. 24,91,604/- be read as Rs.23,01,994/-. The interest rate of refund also be calculated on the basis of Rs. 23,01,994/-. The copy of this order be uploaded on the web portal of the Authority and the copies of orders be supplied to both the parties. Hence this application is disposed off accordingly. File be consigned to the record room after due compliance.


(Binod Kumar Singh)
Member, RERA, Punjab