

West Bengal Real Estate Regulatory Authority
 Calcutta Greens Commercial Complex (1st Floor)
 1050/2, Survey Park, Kolkata – 700 075

Name of the Applicant: M/s Damani Builders Private Limited

Name of Project: Mahadev Plaza

WBHIRA Registration No: WBRERA/P/KOL/2023/000299

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
Extension of Registration (1) ----- 04.10.2024	<p>Whereas an Application dated 01.10.2024 has been submitted as per the provisions contained in section 6 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 7 of the West Bengal Real Estate (Regulation and Development) Rules, 2021 by the Applicant Promoter M/s Damani Builders Private Limited before the West Bengal Real Estate Regulatory Authority (WBRERA), for extension of the Real Estate Project namely 'Mahadev Plaza;</p> <p>And Whereas the said project was registered under West Bengal Real Estate Regulatory Authority (WBRERA) with WBRERA Registration No. WBRERA/P/KOL/2023/000299. The validity of the Registration of the said project is going to be expired on 31.12.2024. As per the Applicant, the construction of the project is nearly on the completion stage. As per the Applicant, it will not be possible to complete the said project within the scheduled completion date that is within 31.12.2024, inspite of their utmost effort. Hence, he is praying for an extension of 12 (twelve) months as the validity of registration of the said project is going to be expired on 31.12.2024.</p> <p>And Whereas a Meeting of the WBRERA Authority has been held today at the chamber of Chairperson WBRERA and detailed discussion has been held regarding this matter and the Notarized Affidavit and relevant documents submitted by the Applicant have been examined thoroughly.</p> <p>And Whereas two Notarized Affidavit-cum-Declarations dated 01.10.2024 has been submitted by the Applicant herein, explaining the reasons for seeking extension of the instant project. They have explained the reasons for non-completion of the said project within the validity period of the Registration of the said project and prayed for an extension of 12 (twelve) months to complete the said project and handover of the flats / units to the Allottees.</p>	

As per the Applicant-Promoter, inspite of their utmost effort, they will not be able to complete the said project within the validity period of the registration of the project that is within 31.12.2024 due to various reasons including the following but not limited to:-

- a) That the Promoter could not commence the said project as planned due to delays in relocating tenants from the project land and due to impacts of the first phase and the second phase of the Covid-19 Pandemic; and
- b) The said Lock Down had slowed down the global economy and the real estate industry in particular has been very badly affected. The effect of pandemic was long lasting and continued much beyond the two years of its direct influence; and
- c) During the entire session of covid pandemic the financial health of promoter was directly hampered as the Promoter could not collect booking amount from prospective buyers. As the cascading effect, the allottees and prospective buyers were affected by the said financial crisis and hence the progress on ground could not be made as per their earlier plan; and
- d) The delay arose from the ongoing disruptions caused by the Covid – 19 pandemic and its lingering effects on supply chains, workforce availability, and overall project operations. These disruptions constitute circumstances beyond their reasonable control. The pandemic and its related consequences qualify as a force majeure event. As such, they are unable to complete the project by the originally scheduled date of 31.12.2024; and
- e) Non-completion of the said project within validity of the registration period, will lead to difficulties for them including their customers who have agreed to purchase Apartment in their said project. They anticipate that their banker may suspend the operation of the project account due to lapse of validity of the project registration and because of which they will not be able to meet their project expenses and will face tremendous financial hardship; and
- f) They further apprehend that the various banks/ NBFCs/HFIs from which their customers have availed home loans, may not disburse the pending installment payments to them, citing the reason of expiry of the registration of their said project and this will complicate and/or jeopardize the entire situation; and
- g) The sales of the unsold inventory will be adversely affected in the event of lapse of validity of registration, as the prospective purchasers will not be able to avail home loans from Banks/NBFCs/HFIs.

The Applicant also stated in the Affidavit dated 01.10.2024 that the Rights and interest of the existing allottees of this project shall not be affected by this extension.

Now Therefore, in exercise of the power conferred under section 6 of the Real Estate (Regulation and Development) Act, 2016 read with Rule 7

of the West Bengal Real Estate (Regulation and Development) Rules, 2021, this Authority is pleased to take the decision unanimously to grant the extension of the Registration of the instant project namely '**Mahadev Plaza**' for a period of **12 (twelve) months** from **01.01.2025** to **31.12.2025**. The extension of 12 (twelve) months is hereby granted on the ground of special circumstances to safeguard the interest of the allottees of the instant case, and in exercise of the powers conferred under the first and second paragraph of section 6 of the Real Estate (Regulation and Development) Act, 2016.

If this extension is not granted then interest of the prospective Allottees will be seriously affected and the extension is also required for obtaining Completion Certificate from the Competent Authority. Therefore, this extension is hereby granted as a **Special Case** and this order should not be treated as a precedent in any other case of extension of project;

The Applicant is hereby directed to apply immediately through online mode in the website of WBRERA as per **Form E** for extension of the subject matter project by payment of twice the registration fee for issuance of the system generated extension certificate of the said project.

Secretary, WBRERA is hereby directed to issue a System Generated Certificate for Extension of Registration of the said Project as per **Form F** of the West Bengal Real Estate (Regulation and Development) Rules, 2021, for a period of 12 (twelve) months from **01.01.2025** to **31.12.2025**;

Let copy of this order be sent to the Applicant by speed post and also by email immediately.

Sd/-

(JAYANTA KR. BASU)

Chairperson

West Bengal Real Estate Regulatory Authority

Sd/-

(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority

Certified to be true copy:

Sd/-

04, 10, 2024

Special Law Officer

West Bengal Real Estate Regulatory Authority