

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

Name of the Applicant: S D Construction Pvt. Ltd.

Name of Project: SD Aqua View

WBHIRA Registration No: HIRA/P/NOR/2018/000288

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
Extension of Registration (1) ----- 02.08.2024	<p>Whereas an Application dated 19.02.2024 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, the <b>S D Construction Pvt. Ltd.</b> before the West Bengal Real Estate Regulatory Authority (WBREERA), for extension of the Real Estate Project namely '<b>SD Aqua View</b>', with payment of fees for extension of the project amounting to Rs.4,27,260/- (Rupees Four Lakhs Twenty Seven Thousand Two Hundred Sixty Only) which is twice the registration fees of the said project.</p> <p>And Whereas the said project was registered under erstwhile West Bengal Housing Industry Regulatory Authority (WBHIRA) by WBHIRA Registration No. HIRA/P/NOR/2018/000288. The validity of the Registration of the said project expired on 30.06.2019. As per the Applicant the project is till now not completed, therefore, he is praying for an extension from 01.07.2019 to 30.09.2027 as the validity of registration of the said project expired on 30.06.2019.</p> <p>And Whereas an offline hearing has been held on 01.08.2024 at 12:20 p.m. Dipak Datta, Authorized Representative of the Applicant Promoter Company appeared before the Authority as Authorized Representatives of the said Applicant Promoter Company and signed the Attendance Sheet. At the time of hearing, 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 till 30.09.2027 to complete the said project and handover of the flats / units to the Allottees.</p> <p>And Whereas three Notarized Affidavits-cum-Declarations dated 20.02.2024, 16.07.2024 and 02.08.2024 have been submitted</p>	

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 extension to complete the said project and handover of the flats / units to the Allottees.

As per the Applicant, in spite of their utmost effort, they could not complete the construction of the project in all respect within the validity period of the aforesaid project that is within 30.06.2019 due to various reasons including the following :-

- a) There was no stoppage of construction work though it was hampered to some extent due to covid and time has been taken to renew the plan of the project; and
- b) Completion of the blocks B, C and D have been done on 31.12.2018 and Block BL-A and BL-AA are under construction and almost 80% of work has been done but only 2 % booking of block BL-A has been done.

The Applicant further stated in their Affidavit dated 16.07.2024 and 02.08.2024 that the rights and interests of the existing Allottees will not be affected by this extension.

And Whereas, after careful examination of the Notarized Affidavits and supporting documents on Affidavit, submitted by the Applicant and placed on record, this Authority is of the considered view that there is a delay in the completion of the instant project and an extension is urgently required to safeguard the interest of the Allottees/Home buyers and for completion of the said project, for obtaining the Completion Certificate from the Competent Authority and for handover process of the completed flats/units to the Allottees;

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 '**SD Aqua View**' from 01.07.2019 to 30.06.2026. The extension 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 first paragraph and second paragraph of section 6 of the Real Estate (Regulation and Development) Act, 2016 respectively.

If this extension is not granted then interest of the 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;

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, from 01.07.2019 to 30.06.2026;

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

  
(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority

  
(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority