

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: Realtech Nirman Private Limited

Name of Project: Hijibiji

WBHIRA Registration No: HIRA/P/NOR/2019/000404

Sl. Number and date of order	Order and Signatures of Authority	Note of action taken on order
<p>1 ----- 27.08.2024</p>	<p>Whereas an Application dated 19.07.2024 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>Realtech Nirman Private Limited</b> before the West Bengal Real Estate Regulatory Authority (WBREERA), for extension of the Real Estate Project namely '<b>Hijibiji</b>'.</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/2019/000404. An extension of 12 (twelve) months was granted by this Authority on 27.09.2023 for the period from 01.10.2023 to 30.09.2024 by an order dated 27.09.2023 on the grounds mentioned in the said order.</p> <p>The Applicant applied for further extension of the project for a period of six (6) months from 01.10.2024 to 31.03.2025. As per the Applicant some works of the project are still not completed and the grant of further extension of 6 (six) months is very much required to complete the remaining works of the said project and delivery of possession of the completed flat to the Allottees.</p> <p>And Whereas an offline hearing has been held on 01.08.2024 at 1:00 p.m. and Mr. Shishir Gupta, Director of the Applicant Promoter Company and Advocate Neha Gupta were present 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 extended validity period of the Registration of</p>	

the said project and prayed for an extension of 6 months to complete the said project and handover of the flats / units to the Allottees.

And Whereas two Notarized Affidavit-cum-Declarations dated 19.07.2024 and 09.08.2024 have also been submitted by the Applicant herein, explaining the reasons for seeking extension of the instant project. As per the Applicant, in spite of his utmost effort, he could not complete the construction of the project in all respect within the validity period of the aforesaid project that is within 30.09.2024 due to various reasons including the following but not limited to:-

- a) Despite receiving earlier an extension of one year, the work of the project was halted by a dispute with the land lord of this project. As per the joint Development Agreement the payment to the landlord was to be made around Rs.47 Crores. The Applicant had been sincere with their payments with the landlord before Covid 19 struck them. But after Covid-19, payment got slowed down due to financial issues as the Applicant Promoter did not receive much collection from the specific project but still managed funds and made payments upto some extent. The payments slowed down for a period of two (2) years and after that the landlord demanded to make him payment at once for a substantial portion of the payment due. They made payment up to 33 crores to him for the project; and
- b) After that the work of the project resumed with full pace and they have completed considerable pending works then suddenly the landlord again stopped work for a period of four (4) months as he demanded a further amount of 14 crores to be paid at once. They assured him to pay the remaining amount within a considerable period in the best interest of the allottees of the project but he declined to accept and ceased the remaining works for a period of 4 months. They paid a some of Rs.4.00 crores recently and conducted a meeting with the landlord and have reached at a Memorandum of Understanding regarding the schedule of payment to be made to him for the remaining outstanding amount and now the work has again resumed with full capacity and there is no further dispute with the Landlord; and
- c) The second issue faced by this project is the shortage of materials due to the problem of syndicates etc. and they increased the rates as an when they desire and accordingly withheld the supply of raw materials on non-payment to them.

The Applicant Promoter also submitted on a Notarized Affidavit dated 09.08.2024 that the rights and interests of the existing allottee(s) in the said project will not be affected / hampered due to the extension of timeline for completion of the said project.

And Whereas, after careful examination of the Notarized Affidavit and supporting documents on Affidavit, submitted by the Applicant and placed on record, this Authority is of the considered view that there will be delayed in the completion of the instant project and only 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, extension of the project is necessary.

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 '**Hijibiji**' for the period from **01.10.2024** to **31.03.2025**. 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;


The Applicant is hereby directed to submit immediately an online application for Extension of Registration of the Project named '**Hijibiji**' as per **Form E** of the West Bengal Real Estate (Regulation and Development) Rules, 2021, in the WBRERA website by using their login id and password by which he had applied for Application for Registration of the said Project before the erstwhile WBHIRA;

The Applicant is hereby directed to deposit the necessary fees for extension of the project which is twice the registration fees of the said project, by electronic transfer made to the Account of the

WBREERA Authority immediately and only after deposit of such fees the extension certificate shall be uploaded in the website of WBREERA;

Secretary, WBREERA 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 the period from **01.10.2024** to **31.03.2025**;

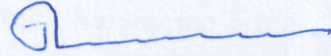
Let copy of this order be sent to the Applicant by speed post and also by email immediately.



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority