

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

Name of the Applicant: Senba India

Name of Project: Akma Heights

WBHIRA Registration No: HIRA/P/KOL/2019/000702

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
Extension of Registration (1) ----- 31.05.2024	<p>Whereas an Application dated 24.04.2024 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 Senba India before the West Bengal Real Estate Regulatory Authority (WBREERA), for extension of the Real Estate Project namely 'Akma Heights', with payment of fees for extension of the project amounting to Rs.27,580/- (Twenty Seven Thousand Five Hundred Eighty only) on 28.05.2024, which is twice the registration fees of the said project, by electronic transfer made to the Account of the WBREERA Authority;</p> <p>And Whereas the said project was registered under erstwhile West Bengal Housing Industry Regulatory Authority (WBHIRA) by WBHIRA Registration No. HIRA/P/KOL/2019/000702. The validity of the Registration of the said project expired on 21.10.2020. Thereafter an extension of 9 months was granted to the said project by the erstwhile WBHIRA Authority on the ground of the pandemic caused by the Covid-19 in the first phase. The said extension period of validity of registration expired on 21.07.2021. As per the Applicant the project is ready for completion and upon obtaining the revised validity from WBREERA, they intend to apply to the Competent Authority for the issuance of the Completion Certificate. He is praying for an extension of approximately 38 (thirty-eight) months as the validity of registration of the said project expired on 21.07.2021. Therefore the Applicant herein applied for extension of the validity of the registration of the</p>	

said project for a period of approximately 38 (thirty-eight) months from 22.07.2021 to 30.09.2024;

And Whereas a Meeting of the WBRERA Authority has been held today in 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.

And Whereas a Notarized Affidavit-cum-Declaration dated 29.04.2024 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 approximately 38 (thirty-eight) months 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 21.07.2021 due to various reasons including the following :-

- a) Prolonged impacts and deficiencies resulting from the second and third wave of Covid-19 pandemic, causing disruptions in normal construction activities and substantial project delays; and
- b) Indirect impacts such as a shortage of labour, and disruptions in the supply chain for construction accessories and equipment; and
- c) Financial constrains arising from the pandemic further contributed to delays in project completion; and
- d) The failure to complete the project within the registration period has presented significant challenges to the existing stake holders, including the promoter and the allottees.

The Applicant also stated in the said Affidavit that the rights of the existing allottees in the project will not be compromised upon getting the extension of the said project.

The Applicant also stated in the said Affidavit that at the initial time the project was G+12 and at that relevant time there were 18 Allottees. All the allottees had duly been intimated regarding submission of revised plan and its extension for completion and in that regard 10 allottees had no objection and on demand such NOC will be submitted, if required.

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 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 '**Akma Heights**' for a period of **38 months 10 days** from **22.07.2021** to **30.09.2024**. The extension of 38 months 10 days 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, for a period of 38 months 10 days from **22.07.2021** to **30.09.2024**;

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



(SANDIPAN MUKHERJEE)

Chairperson

West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority



(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority