

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

Complaint No.WBRERA/COM-000181

Avjit Sadhu Complainant

Vs.

Om Towers Private Limited..... Respondent

Sl. Number and date of order	Order and signature of Officer	Note of action taken on order
02 04.09.2023	<p>Complainant is present in the online hearing filing hazira through email.</p> <p>Smt. Munmun Kar, Authorized Signatory of the Respondent is present in the online hearing on behalf of the Respondent filing hazira and Authorization through email.</p> <p>Heard both the parties in detail.</p> <p>The Complainant stated at the time of hearing that due to extension of validity of Registration of the project by nine (09) months by the then WBHIRA Authority, he is suffering financial loss and claiming compensation. He further stated that, the project is far from completion. When asked, whether the Complainant had disbursed payment according to payment schedule of the promoter, he answered in the affirmative. Further he stated that the Completion date after extension of the validity period of the Registration is on September, 2024.</p> <p>The Respondent pointed out that the Complainant has submitted this Complaint Petition stating that he anticipates that there will be delay in completion of the said project and hence demands compensation. It may be that there is no provision in the RERA Act to order for compensation due to extension of time under force majeure conditions. In fact this is in accordance with the provisions of RERA Act as laid down in section 6 of the Real Estate (Regulation & Development) Act, 2016. Thus no provision of the Act has been violated by extension</p>	

of the validity of Registration of the project under order issued on the ground of the Covid-19 pandemic (force majeure conditions) prevailing at that point of time.

Under the circumstances, the Complaint per se, is without any foundation as per the extant Act and cannot be entertained at this point of time. However the Complainant may come up with Complaint after the date of Completion in September, 2024, if he does not get the delivery of possession of the flat within that period.

With these observations, the Complaint Petition is hereby disposed of.

Let the copy of this order be served to both parties through speed post and also by email.



(SANDIPAN MUKHERJEE)
Chairperson
West Bengal Real Estate Regulatory Authority



(BHOLANATH DAS)
Member
West Bengal Real Estate Regulatory Authority