

Category – A(2), B(3)

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. SHIVAA CONSTRUCTION

Name of Project: SHIVA APARTMENT

WBREERA Registration No: WBREERA/P/KOL/2024/001382

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
Extension of Registration (1) ----- 26.08.2025	Whereas an Application has been received by this Authority on 14.05.2025, as per the provisions contained in section 6 of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the 'said Act') read with Rule 7 of the West Bengal Real Estate (Regulation and Development) Rules, 2021 (hereinafter referred to as the 'said Rules') by the Applicant Promoter 'M/S. SHIVAA CONSTRUCTION' before the West Bengal Real Estate Regulatory Authority (WBREERA), for extension of Registration of the Real Estate Project namely 'SHIVA APARTMENT'. And Whereas the said project was registered under West Bengal Real Estate Regulatory Authority (WBREERA) with WBREERA Registration No. WBREERA/P/KOL/2024/001382 dated 25.04.2024. The validity of the Registration of the said project expired on 31.12.2024. As per the Applicant, in spite of their utmost effort the said project could not be completed within 31.12.2024. Therefore, the Applicant prayed for extension of the registration of project up to 31.12.2025. And Whereas a Meeting of the WBREERA Authority has been held today in the chamber of Chairperson WBREERA and detailed discussion has been held regarding this matter and the Notarized Affidavit and relevant documents submitted by the Applicant have been examined thoroughly. As per provision of Rule 7(1) of WBREERA Rules the Applicant was to submit the Application for Extension at least before 3 months prior to the expiry of the Registration granted, which the Applicant failed to comply in this instant Application as such the Applicant is liable to pay penalty as per provision of Section 61 of the RERA Act. And Whereas Notarized Affidavit-cum-Declaration dated 05.05.2025 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 to complete the said project and handover of the flats / units to the Allottees.

The Applicant also stated in the said Affidavit dated 05.05.2025 that the rights and interests of the existing Allottees will not be compromised by this extension, if granted.

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 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 '**SHIVA APARTMENT**' for a period from **01.01.2025** to **31.12.2025**. The extension for Application is hereby considered and granted with imposition of penalty for contravention of section 4 of the RERA Act, 2016 upon the Applicant Promoter an amount of Rs.19,430/- (Rupees Nineteen Thousand Four Hundred and Thirty only) for non-compliance of Rule 7(1) of WBRERA Rules, 2021 and invoking Section 60.

The Applicant-Promoter shall pay a Penalty of Rs.19,430/- (Rupees Nineteen Thousand Four Hundred and Thirty only) for violation of Rule 7(1) of WBRERA Rules, 2021. The Applicant shall pay the penalty amount of Rs.19,430/- (Rupees Nineteen Thousand Four Hundred and Thirty only) imposed by the Authority to the following account:-

Account Name- WEST BEGAL REAL ESTATE REGULATORY AUTHORITY

Bank- State Bank Of India

A/c No- 00000042520982210

IFS CODE- SBIN0014524

The Applicant shall send an email communication with the attachment of proof copy of payment of the penalty amount to the Bank Account of WBRERA, as mentioned above, to the email id westbengal.rera@gmail.com and rera.wb@gmail.com of WBRERA.

Secretary, WBRERA shall issue a System Generated Certificate, subject to the deposit of penalty fees by the Applicant, 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 from **01.01.2025** to **31.12.2025**.

The Applicant Promoter shall submit on Notarized Affidavit a **Work Milestone** for the completion of the entire project till the completion date **31.12.2025**, before the Authority, both in hard and scan copies, within **15 days** from the date of receipt of this order of the Authority through email.

The Applicant Promoter shall also upload the **Quarterly Update of Projects** in the WBRERA website positively within **7 days** from the end of each quarter, and he shall also submit **Work Milestone** on Notarized Affidavit to this Authority, both in hard and scan copies, **within 7 days after expiry of every 90 days** from the date of approval of this extension, stating in detail how much work has been done within the said 90 days and how much work is pending after the said 90 days.

Authority may conduct inspection at any time without notice to ascertain the real facts and if any discrepancy / misrepresentation come to the notice of this Authority, stringent action shall be taken which may include revocation of extension, as per the provisions contained in the RERA Act.

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


(JAYANTA KR. BASU)
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