

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

Name of the Applicant: Sugam Diamond Abasan LLP

Name of Project: Morya – Phase I

WBHIRA Registration No: HIRA/P/SOU/2018/000028

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
Extension of Registration (1) ----- 17.09.2024	<p>Whereas an Application dated 20.08.2024 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 Sugam Diamond Abasan LLP before the West Bengal Real Estate Regulatory Authority (WBREERA), for extension of the Real Estate Project namely 'Morya – Phase I'.</p> <p>And Whereas the said project was registered under erstwhile West Bengal Housing Industry Regulatory Authority (WBHIRA) by WBHIRA Registration No. HIRA/P/SOU/2018/000028. The validity of the Registration of the said project expired on 30.06.2023. 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 30.03.2024. As per the Applicant inspite of his best effort, he could not complete the construction of the instant project in all respect within the validity of the registration of the said project that is within 30.03.2024. He is praying for an extension of approximately 12 (twelve) months as the validity of registration of the said project expired on 30.03.2024.</p> <p>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.</p> <p>And Whereas Notarized Affidavits-cum-Declaration dated 20.08.2024 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 12 (twelve) months to complete the said project and handover</p>	

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 30.03.2024 due to various reasons including but not limited to the following :-

- a) Prolonged impacts and deficiencies resulting from the force majeure calamity of covid - 19 pandemic, causing disruptions in normal construction activities and substantial project delays; and
- b) As stated by the Applicant in his said Affidavit, there was a notice from Hon'ble National Green Tribunal based out of a wrongful complaint in which the municipal authorities were parties. Although it was explained to the municipal authorities by the Applicant that the complaint was false and wrongful, the municipal authorities did not proceed with clearances till the complaint was not disposed off. Between the period from January, 2021 and 8th February, 2022 when the NGT dismissed the complaint, the clearance sought from KMC were not processed; and
- c) As per the Applicant, the Municipal and the general elections had crippled the work and staff strength of KMC; and
- d) The project is on the verge of completion and the Applicant anticipates receiving the completion certificate before 31.03.2025 but considering the unforeseen situations, they seek an extension of approximately 12 months from the lapse of the registration date that is from 31.03.2024.

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 '**Morya - Phase I**' for a period of **12 months** from **31.03.2024** to **31.03.2025**. The extension of 12 months 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 Promoter is hereby directed to apply as per Form E in the website of WBRERA for extension of Registration of the project for a period from 31.03.2024 to 31.03.2025 by submission of twice the registration fee as per the provisions of RERA Act and WBRERA Rules.

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 12 months from **31.03.2024** to **31.03.2025**;

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

Sd/-
(JAYANTA KR. BASU)
Chairperson
West Bengal Real Estate Regulatory Authority

Sd/-
(BHOLANATH DAS)
Member
West Bengal Real Estate Regulatory Authority

Certified to be True Copy

Sd/- 17.9.2024

Special Law Officer
West Bengal Real Estate Regulatory Authority