

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

Name of the Applicant: Merlin Projects Limited

Name of Project: Merlin Urvan

WBHIRA Registration No: HIRA/P/NOR/2019/000369

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
Extension of Registration (1) ----- 21.06.2024	<p>Whereas an Application dated 07.03.2024 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 Merlin Projects Limited before the West Bengal Real Estate Regulatory Authority (WBREERA), for extension of the Real Estate Project namely 'Merlin Urvan'.</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/2019/000369. 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. Therefore the Applicant herein applied for extension of the validity of the registration of the said project for a period of approximately 12 (twelve) months from 31.03.2024 to 31.03.2025;</p> <p>And Whereas a Meeting of the WBREERA Authority has been held today in the office of 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 a Notarized Affidavit-cum-Declaration dated 24.05.2024 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</p>	

the Registration of the said project and prayed for an extension of approximately 12 (twelve) 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 30.03.2024 due to various reasons including but not limited to the following :-

- a) That sudden out-break of the Covid-19 pandemic jeopardized normal activities of all sectors of the world including our country; and
- b) In or around 23.03.2020 vide a notification no. F.No.25022/12/2017-Imm, the Govt. of India had declared a lockdown. There were subsequent notifications issued by the Govt. of India and thereafter by the Govt. of West Bengal extended the lock down and relaxed the same in phases. The restrictions continued till around December 2021. ; and
- c) Train service both inter-state and intra-state remain closed until November 2020. Thereafter the said service were severely impaired and restricted. The result of the same was that it was not possible for labour force and others dealing with real estate construction to travel back to Kolkata, either from outside the state or from outside Kolkata, were they resided during the lockdown; and
- d) Bus and other local transportation services were also severely restricted and impaired. For this reason, it was not possible for personnel movement to occur, which is necessary for normalcy at the project site; and
- e) Number of persons permitted to work at the site were restricted and it was only on and from April 2022, that 100 percent work force was allowed to be brought back to the site; and
- f) The West Bengal Assembly Elections took place in or around March and April 2021 in eight phases. Election is a major disruptions in so far as construction activity is concerned, in as much as workers tend to remain at their native places; and
- g) On 20.05.2020, there was large scale damage suffered at the site in view of the Amphan Cyclone. There was inundation, damage, destruction, all of which resulted in substantial delays; and
- h) Kolkata Municipal Corporation recognizing the situation of second wave of pandemic has unilaterally directed the Department of Urban Development and Municipal Affairs to consider the pandemic situation and to extend the validity period of sanctioned building plans by 12 months.

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 '**Merlin Urvan**' 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 is hereby directed to submit immediately an online application for Extension of Registration of the Project named '**Merlin Urvan**' 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 WBRERA Authority immediately and only after deposit of such fees the extension certificate shall be uploaded in the website of WBRERA;

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.


(BHOLANATH DAS)

Member

West Bengal Real Estate Regulatory Authority


(TAPAS MUKHOPADHYAY)

Member

West Bengal Real Estate Regulatory Authority