

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

Name of the Applicant: Perival Constructions LLP

Name of Project: Essense

WBHIRA Registration No: HIRA/P/HOW/2019/000502

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
Extension of Registration (1) ----- 31.01.2025	<p>Whereas an Application has been received by this Authority on 08.01.2025 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 <b>Perival Constructions LLP</b> before the West Bengal Real Estate Regulatory Authority (WBREERA), for extension of the Real Estate Project namely '<b>Essense</b>'.</p> <p>And Whereas the said project was registered under erstwhile West Bengal Housing Industry Regulatory Authority (WBHIRA) by WBHIRA Registration No. HIRA/P/HOW/2019/000502 dated 06.09.2019. The validity of the Registration of the said project expired on 30.06.2024. 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 will expire on 30.03.2025. As per the Applicant, that inspite of his best effort, he will not able to complete the construction of the instant project in all respect within the validity period of the registration of the said project that is within 30.03.2025, therefore, he is praying for an extension upto 31.12.2026.</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 03.01.2025 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.</p>	

As per the Applicant, inspite of their utmost effort, they will be unable to complete the subject matter project within the validity period of the aforesaid project that is within 30.03.2025 due to various reasons including the following but not limited to: -

- a) The prolonged impact of the pandemic significantly impacted and hindered normal construction activities, resulting in substantial delays in their project timeline; and
- b) The scarcity of labour and disruptions in the supply chain for construction accessories and equipment, compounded the impediments to progress; and
- c) The financial strains exacerbated the project delays, making adhering to the initially projected completion period challenging; and
- d) Their banker will suspend the operation of the project account due to a lapse of the validity of the project registration period and as a result of such they would be unable to meet their project expenses and would face tremendous financial hardship; and
- e) The aforesaid circumstances of non-payment to their vendors and contractors who are engaged in the said project, the same will lead to further delay and ultimately the customers of the project will suffer a lot; and
- f) They apprehend that dues from their customers who availed home loan for the purchase of flat will not be disbursed by their respective Banker due to the aforesaid reason of expiry of the registration period of their project and this will complicate and /or jeopardize the entire situation; and
- g) Until they get the revised completion date approval they won't be able to communicate straight and clear to the existing allottees for the revised completion period of the project; and
- h) They won't be able to execute the sale Agreement, as the completion period as per actual will not be the same as mentioned in the WBRERA; and
- i) That lapse of validity of registration will badly affect to liquidation of their unsold stock as the purchasers of the same will not be getting home loans either from a bank/financial institution for the purchase of flats; and
- j) There was a impact of **Stop Construction Order** passed by Howrah Municipal Corporation on 20<sup>th</sup> September, 2022, on grounds of difference in Land Status. The said injunction was removed by Hon'ble Supreme Court on 23<sup>rd</sup> September, 2024. This 24 month approx., or 733 days injunction, significantly delayed the construction process, causing both financial and mental strain.

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;

As there was a **Stop Construction Order** passed by Howrah Municipal Corporation on **20.09.2022** and the injunction has been removed on **23.09.2024**. So the injunction period was for 24 months approximately. **The delay caused by this injunction was beyond the control of the Applicant Promoter.**

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 '**Essense**' for a period from **31.03.2025** to **31.12.2026**. The extension 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 shall 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 from **31.03.2025** to **31.12.2026**;

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