

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: Mindplus IT Solutions Private Limited

Name of Project: Shyam Residency Phase - II

WBHIRA Registration No: HIRA/P/NOR/2020/000747

Sl. Number and date of order	Order and signature of Authority	Note of action taken on order
Extension of Registration (1) ----- 10.03.2025	<p>Whereas an Application has been received on 13.12.2024, 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>Mindplus IT Solutions Private Limited</b> before the West Bengal Real Estate Regulatory Authority (WBREERA), for extension of the Real Estate Project namely '<b>Shyam Residency Phase - II</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/NOR/2020/000747 dated 02.01.2020. The validity of the Registration of the said project expired on 31.03.2023. 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 31.12.2023. As per the Applicant inspite of his best effort, he could 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 31.12.2023. Therefore, he is praying for an extension upto 27.07.2028.</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 Affidavit-cum-Declaration dated 11.12.2024 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 to complete the said project and handover of the flats / units to the Allottees.</p> <p>As per the Applicant, inspite of their utmost effort, they were unable to complete the subject matter project within the validity period of the aforesaid project that is within 31.12.2023 due to various reasons including the following but not limited to:-</p>	

- a) The prolonged effects of the COVID-19 pandemic further delayed the resolution of the NPA status and hindered our ability to resume project activities.
- b) The financial issues were eventually resolved through the repayment of dues, and a No of Dues Certificate was obtained from Canara Bank, earlier known as Syndicate Bank currently on 31<sup>st</sup> August 2023.
- c) To expedite the project's completion, HR Infracon Limited entered into a development agreement with Mindplus IT Solutions Private Limited on 15<sup>th</sup> June 2024. This collaboration brings additional resources and expertise to ensure successful project delivery.
- d) We anticipate receiving the completion certificate by 27/07/2028, and considering the assumed completion date, we seek an extension of approximately 54 months, and 27 days from the lapse of the registration date.
- e) **Till date, no units of the project have been booked.** Therefore, they propose revalidating the completion date of the project before initiating bookings, which will allow them to communicate accurate timelines to potential allottees.

As there is no Allottee in the said Project, there arises no question of infringement of the rights and interest of the Allottees of the said project due to the extension prayed by them.

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;

And Whereas, on perusal of the aims and objectives of the Real Estate (Regulation and Development) Act, 2016, it is clear that the whole aim of the said Act has been to promote the real estate sector in an efficient and transparent manner and to protect the interest of the consumers (including home buyers / Allottees). Thus, by not extending the registration of the said Project the same will come to a halt. The Promoter shall not be able to take actions for efficient completion as may be required in view of the lack of registration. Such an action will only be detrimental to the interest of the consumers (including home buyers / Allottees). Thus, the balance of convenience lies in allowing the extension with such condition so as to ensure completion. Further the Authority also notes that this extension can be granted under Section 7(3) read with section 6 of the said Act as the same needs to be granted so that the completion of the said Project is not interrupted.

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;

**ORDER**

Now Therefore, in exercise of the power conferred under section 6 read with section 7(3) of the Real Estate (Regulation and Development) Act, 2016, this Authority is hereby pleased to grant the extension of the Registration of the instant project namely '**Shyam Residency Phase - II**' for a period from **01.01.2024** to **27.07.2028**. The extension is hereby granted on the ground of special circumstances to safeguard the interest of the allottees of the instant case, as per the provisions contained in and in exercise of the powers conferred under first paragraph and second paragraph of section 6 read with section 7(3) of the Real Estate (Regulation and Development) Act, 2016.

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 **01.01.2024** to **27.07.2028**;

The Applicant Promoter shall submit on Notarized Affidavit a **Work Milestone** for the completion of the entire project till the completion date 27.07.2028, 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