

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

Name of the Applicant: CHARLES COMMERCIAL PVT. LTD

Name of Project: TANZANITE

WBHIRA Registration No: HIRA/P/SOU/2019/000522

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 on 16.12.2024 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 CHARLES COMMERCIAL PVT. LTD before the West Bengal Real Estate Regulatory Authority (WBREERA), for extension of the Real Estate Project namely 'TANZANITE'.</p> <p>And Whereas the said project was registered under erstwhile West Bengal Housing Industry Regulatory Authority (WBHIRA) by WBHIRA Registration No. WBHIRA/P/SOU/2019/000522 dated 12.09.2019. The validity of the Registration of the said project expired on 31.12.2023. Thereafter an extension of 9 months was granted to the said project by the erstwhile WBREERA 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 30.09.2024. 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 30.09.2024. Therefore, he is praying for an extension upto 30.06.2026.</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 Affidavit-cum-Declaration dated 13.01.2025 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 were unable to complete the subject matter project within the validity period of the aforesaid project that is within 30.09.2024 due to various reasons including the following but not limited to: -

- a) The prolonged impact of the pandemic and its consequential lockdown for several months significantly impacted and hindered normal construction activities, resulting in substantial delays in our project timeline.
- b) The scarcity of labour and disruptions in the supply chain for construction accessories and equipment, materials, compound the impediments to progress.
- c) The financial strains exacerbated the project delays, making the adherence to the initially projected completion period challenging. To cope us the same, compelled to take construction finance from the Private Bank to meet the ends.
- d) The long-standing lockdown made the initial construction already done before the pandemic caused substantial depreciation due to exposure to heat, rain, moist, no supervision for long time, etc. and thereafter, time required to completely dismantle the existing structure and commence re-construction since 2022 only.
- e) Due to the lapse of the validity period of the WBRERA certificate, they along with the customers/allottees are suffering significant challenges when they have seen the validity of WBRERA is over. Moreover, in the project, there are still few unsold flats (25 flats).
- f) To proceed with the Completion Certificate application before the concerned Zilla Parishad, South 24 Parganas, they need to have a valid WBRERA registration number, as per the current scenario.

The Applicant also stated in their said Affidavit that rights and interests of the existing Allottees will not be jeopardized by this extension.

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 **'TANZANITE'** for a period

from **01.10.2024 to 30.06.2026**. 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 **01.10.2024 to 30.06.2026**;

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