

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY**

**CORAM : SHRI JAYANT B. DANDEGAONKAR, DY. SECRETARY, PUNE**

**SUO MOTU ADVERTISEMENT/  
PUNE CASE NO. 115 OF 2025**

MahaRERA on its own Motion

.... Complainant

Versus

**PROPMATES INFRASTRUCTURE LLP  
Project – ADVITIYA (UNREGISTERED)**

... **Respondent-Promoter**

**Appearance :- Absent**

**ORDER**

(Through Video Conferencing)

1. MahaRERA has come across that the Respondents-Promoters have published an advertisement in the daily newspaper "Maharashtra Times", dated 08.03.2025 of a real estate project under the name and style as "**ADVITIYA**", located at **Baner, Pune**. After perusing the record of MahaRERA, it has been noticed that the said real estate project is not registered with MahaRERA under the provisions of Section 3 of the "RERA".
2. Therefore, in pursuance of delegation of powers in the name of undersigned by the MahaRERA Authority by its Office Order No.MahaRERA/Secy/DoP/Advertisement/41/2025, dated 16<sup>th</sup> January, 2025, a show-cause notice, dated 24.03.2025 was issued to the Respondents-Promoters calling upon to show cause as to why penalty under Section 59 of the RERA should not be imposed upon them.
3. In response to the said show cause notice, the promoters-respondents have filed their reply, dated 28.03.2025 and contended that the total area of the project in question is 315 sq. mtrs. , which is lower than stipulated land area of 500 sq. mtr. also, number of units sanctioned are 6, which is lower than stipulated number of units

8. It is the contention of the respondents that considering the exemption under Section 3 of the RERA, the project is not required to be registered with the MahaRERA. It is further contended that the marketing company of their project by name M/s. Propmates International Pvt. Ltd. is a registered real estate agent having Registration No. A52100018388.

4. Section 3 of the Act 2016 mandates prior registration of real estate project with Real Estate Regulatory Authority. The said Section 3 reads as under :-

**“3.(1) – No promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it, in any planning area, without registering the real estate project with the Real Estate Regulatory Authority established under this Act;**

**Section 3(2)** of the RERA provides exemption of the projects from registration. Considering the contentions raised by the promoter in their say, clause (a) of sub-section (2) of Section 3 relates with the present matter. Therefore, it is reproduced hereunder.

**Section 3(2) :** Notwithstanding anything contained in sub-section (1), no registration of the real estate project shall be required :-

- (a) Where the area of land proposed to be developed does not exceed five hundred square meters or the number of apartments proposed to be developed does not exceed eight inclusive of all phases.**

5. Perused the impugned advertisement. It is of the project by name "Advitiya Life Reimagined". It is described in the said advertisement that the unit is of 2050 sq.ft., 100% Vastu Complaint, 2 Car Parking per flat, presenting exclusive 3.5 BHK flats, 1 flat per floor with ample space. The price of the unit is also mentioned as starting Rs.2.60 Cr. Onwards. Contact Numbers have been given. In front of MahaRERA No. it is mentioned that "Not Applicable".The website maharera.mahaonline.gov. in is also mentioned in the impugned advertisement.
6. Perused the documents produced on record by the promoter. Building plan sanctioned by the planning authority i.e.. Pune Municipal Corporation for proposed residential building at Survey No. 150/7, Prathamesh Park, Baner, Tal. Haveli, District Pune shows that the plot area is of 315 sq. mtr. whereas the carpet area statement describes 6 tenements. The commencement certificate is issued by the planning authority bearing No. CC/3402/24, dated 05.02.2025 for the residential building to be constructed at the property bearing House City Survey No. 150, Hissa No. 7 of Baner (North), Pune.
7. The respondent-promoter has also produced on record the Real Estate Agent Certificate granted under Section 9 of the RERA bearing No. A52100018388 to Propmates International Pvt. Ltd. valid for the period commencing from 29.11.2024 and ending with 29.11.2029. It is the contention of the respondent-promoter that said Agent Propmates International Pvt. Ltd. is the Marketing and Branding Company of the project of the respondent-promoter.
8. Considering the contentions raised by the respondent-promoter with aforesaid supporting documents and the legal provision under Section 3(2)(a) of RERA, the project in question is definitely exempted from the registration with MahaRERA Authority.

As such the charge under Section 3 of the RERA has not been established against the respondent-promoter.

9. In view of the above discussion, the present case is disposed off accordingly.

Pune  
Date :- 06.08.2025

(JAYANT B. DANDEGAONKAR)  
DEPUTY SECRETARY, MAHARERA  
PUNE