

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

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

SUO MOTU ADVERTISEMENT/PUNE CASE NO. 33 OF 2025

MahaRERA on its own Motion Complainant

Versus

1. Rohan Builders & Developers Pvt. Ltd. Respondent-Promoter
2. Talegaonrealestate.com Respondent-Agent

**NAME OF THE PROJECT : (1) "ROHAN ANAND-PHASE I"
(2) "ROHAN ANAND-PHASE II"**

MahaRERA Project Registration No.

**(1) ROHAN ANAND PHASE I - P52100023186
(2) ROHAN ANAND PHASE II – P52100023451**

Appearance :-

Adv. Amruta Salunke, Adv. Snehal Walunj for Respondent-Promoter

ORDER

16th JULY, 2025


(Through Video Conferencing)

1. The Advertising Standards Council of India (ASCI) as a part of its 'Suo-Motu' surveillance, has picked the advertisement published of the project in question from property portal which does not contain **QR Code** and the same is considered to be prima facie in contravention of Real Estate (Regulation & Development) Act, 2016 (RERA). ASCI has therefore, issued **intimation letter, dated 11.11.2024** to the respondent-promoter and directed the respondent to ensure that the said advertisement has to be modified or withdrawn no later than **November, 21, 2024**.
2. Since the respondent has not complied with the directions issued by the ASCI vide aforesaid intimation letter, the ASCI has referred the matter

to MahaRERA, Pune for initiating the suo-motu complaint/proceeding against the respondent for disposal according to law.

3. In pursuance of the powers delegated under Section 81 of the RERA to the undersigned by the MahaRERA Authority vide Office Order No. MahaRERA/Secy/DoP/Advertisement/41/2025, dated 16.01.2025, notice was issued to the respondent-promoter calling upon him as to why penal action should not be taken against him.
4. The respondent-promoter in response to the said notice, filed his reply dated 26.02.2025 and contended that the advertisement was published on the website <https://www.talegaonrealestate.com/rohan-anand>, which the respondent-promoter is not aware. It has been further contended by the respondent-promoter that the impugned advertisement was published without his consent and he was not aware of its contents at the time it was published. The promoter has further contended that he came to know about the said advertisement when he received the mail, dated 11.11.2024 from ASCI. It is the contention of the respondent, thereafter he took immediate and necessary steps to address the matter, but he didn't receive any positive response from the Talegaon Real Estate. The respondent-promoter has also contended that the advertisement was not managed by him and he is not aware about the same, but after the search taken by the respondent, it came to his knowledge that the rectification in the said advertisement has already done. The respondent-promoter has requested to consider the change made by concern Talegaon Real State and prayed to quash the show cause notice against him.
5. Considering the contention raised by the respondent-promoter, a notice was issued to the respondent-agent through the email given in the impugned advertisement. However, the respondent-agent has failed to appear in the present matter though sufficient opportunity of hearing was given to him. Therefore, the present order is being passed exparte against the respondent-agent.

6. The respondent-promoter has lodged a complaint with cyber crime against the respondent-agent for publishing the impugned advertisement without permission of the respondent-promoter.
7. Adv. Snehal Walunj appeared on behalf of respondent-promoter. She has reiterated the contentions raised out by the respondent-promoter in his reply. She has submitted that the impugned advertisement was not published by the promoter, but it was published by the respondent-agent without the permission of the promoter. She has further submitted that the respondent-promoter has lodged complaint with the cyber crime and copy thereof is filed on record.
8. In view of the aforesaid evidence on record, since the respondent-promoter has filed police complaint against the respondent-agent and has complied with the prevailing SOP of MahaRERA, the respondent-promoter cannot be held liable for violation of directions issued by the MahaRERA Order No.46/2023, dated 29.05.2023 read with MahaRERA Order No.46A/2023, dated 29.07.2023.
9. In view of the fact that a complaint is lodged against the respondent-agent by the promoter, this proceeding stands disposed off accordingly.


(JAYANT B. DANDEGAONKAR)
DEPUTY SECRETARY
MahaRERA, PUNE

