

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

CORAM : Shri. JAYANT B. DANDEGAONKAR, DEPUTY SECRETARY, PUNE

SUO MOTU ADVERTISEMENT/PUNE CASE NO. 134 OF 2024

MahaRERA on its own Motion

... Complainant

Versus

1. DHANRAJ LALCHAND SANCHETI.

... Respondent-Promoter

2. MAKAN.COM

... Respondent-Agent

NAME OF THE PROJECT – SAFFRON ELITE

Maharera Real Estate Project Registration No. P52200048618

Appearance :- Respondent-Promoter : In person

Respondent-Agent : Adv. Mr. Manish and Mr. Syed

ORDER

9th 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 **MahaRERA Website address and 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dated 20.06.2024** to the respondent-promoter and directed to ensure that the said advertisement has to be modified or withdrawn no later than **July 01, 2024**.
2. Since the respondent-promoter 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 respondents 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 of hearing, dated 07.08.2024 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 notice, filed his say dated 13.08.2024. The respondent-promoter has denied to have published the impugned advertisement by him and contended that it was published by an Advertisement Company without his consent, for which he has issued a notice to the said company for publishing the impugned advertisement without his consent. The promoter has filed a complaint, dated 23.10.2024 with the concerned police authority and filed on record a copy thereof.
5. Considering the contents raised out by the respondent-promoter in his say and complaint filed by him with the police authority, a notice of hearing was issued to the respondent-agent. Adv. Mr. Manish and Adv. Mr. Syed appeared on behalf of the respondent-agent and sought time to file say, but in spite of time granted to file say, no say has been filed on behalf of respondent-agent.
6. Perused the impugned advertisement. It does not contain MahaRERA website address as mandated under the provision of Section 11(2) of RERA. The advertisement also does not contain QR Code, as directed by MahaRERA vide Order No. 46/2023, dated 29.05.2023 read with Order No. 46A/2023, dated 24.07.2023 and Order No. 46B/2023, dated 21.08.2023. Perused the complaint lodged by the promoter with the police against Makan.com.
7. Heard the promoter in person. He has reiterated the contentions raised out by him in his say. The promoter has submitted that he has not published any advertisement in the social media or newspaper. He has further submitted that the Advertisement Company has published the impugned advertisement without his consent and for which he has lodged a complaint with police and copy thereof has been furnished on record.

8. The respondent-promoter has lodged police complaint against the respondent-agent for publishing the impugned advertisement without displaying QR Code. A copy of the police complaint is furnished on record. It clearly suggest that the impugned advertisement has been published by the respondent-agent without any authorization/permission from the respondent-promoter.
9. 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 provision of Section 11(2) of RERA and for contravention of the directions issued by the MahaRERA Order No.46/2023, dated 29.05.2023 read with MahaRERA Order No.46A/2023, dated 29.07.2023.
10. In view of the fact that a complaint is lodged against the respondent-agent by the promoter, this complaint stands disposed off accordingly.



(JAYANT B. DANDEGAONKAR)
DEPUTY SECRETARY
MahaRERA, PUNE

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