

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
CORAM : Shri. JAYANT B. DANDEGAONKAR, DEPUTY SECRETARY, PUNE

SUO MOTU ADVERTISEMENT/PUNE CASE NO. 137 OF 2024

MahaRERA on its own Motion

... Complainant

Versus

1. SACHIN DEVELOPERS.

... Respondent-Promoter

2. 99acres.com pvt. ltd.

... Respondent-Agent

NAME OF THE PROJECT – SHREE GAJANAN HEIGHTS
Maharera Real Estate Project Registration No. P49800034502

Appearance :-

Respondent-Promoter : Mr. Rajendra Pachpute, promoter in person

Respondent-Agent : Mr. Ayush Bhatia, A.R.

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 **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dated 24.06.2024** to the respondent-promoter and directed to ensure that the said advertisement has to be modified or withdrawn no later than **July 03, 2024**.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. During the course of hearing scheduled on 03.09.2024 before my learned predecessor, the respondent-promoter appeared in person and submitted that the impugned advertisement has been published by 99acres.com and sought time to file reply. Time was granted to the respondent-promoter to file his reply. However, perusal of Roznamas on record, there appears no reply filed on behalf of respondent-promoter. However, the promoter has filed on record copy of complaint lodged with the police station, Devpur, District Dhule, wherein it has been contended that the impugned advertisement has been published by 99acres without any written permission from the promoter.
5. Mr. Ayush Bhatia, A.R. appeared on behalf of the respondent-agent 99acres.com. However, no say appears to have filed on record on behalf of 99acres. Adv. Godbole appeared on behalf of the respondent-agent and submitted that as per the decision of the Hon'ble MahaRERA Tribunal, registration for property portal is not required. Though during the hearing on 11.10.2024 before my learned predecessor, Adv. Godbole submitted that he will file a copy of the said decision of the Hon'ble MahaRERA Appellate Tribunal, however, no any such decision appears on record of the instant case.
6. Perused the impugned advertisement. It 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 Housing.com.

7. 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.
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 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.
9. 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

7/2/2012