

**SUO MOTU ADVERTISEMENT
CASE NO. 29 OF 2023**

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,
MUMBAI**

SUO MOTU ADVERTISEMENT CASE NO. 29 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Manosheela Developers

.... Respondent/ Promoter

MahaRERA Project Registration No. - Unregistered with MahaRERA

Coram: Dr Vasant Prabhu, Secretary, MahaRERA

Mr. Prashik Ramteke appeared for the Respondent/ Promoter.

ORDER

24th August 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 08/03/2023 to the Promoter above named for issuing an advertisement dated 05/03/2023 in Lokmat newspaper in regards to their project, situated at Nagpur, without registering the project with MahaRERA.
2. During the previous hearing dated 26/04/2023, the Promoter remained absent even though the notice of hearing and the link for the hearing was duly served upon the Promoter.
3. Through its written reply dated 18/03/2023, the Promoter had attested that their firm is engaged in the business of constructing and selling individual bungalows, wherein the sizes of the land parcels range from 1800 sq. ft. to 2400 sq.ft. Furthermore, the Promoter stated that their firm acquires parcels of land for the purpose of constructing duplex structures thereupon, subsequently effecting the sale of said duplexes. The Promoter also emphasized that each duplex is situated upon an individual plot, the title deeds of which are wholly separate and distinct from one another, thereby maintaining independent property registries for each duplex and plot combination.

**SUO MOTU ADVERTISEMENT
CASE NO. 29 OF 2023**

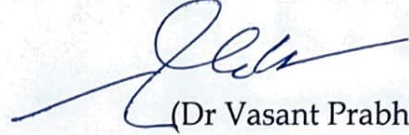
4. In this regard, a hearing was scheduled on 26/04/2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, when the Promoter can appear through its representative and make its submissions.
5. During the hearing, the Promoter submitted that that his firm is into construction and selling of individual bungalows and the plot sizes vary from 1800 sq.ft. to 2400 sq.ft. The Promoter also stated that each duplex he constructs is on a different plot and the registry for the same is also independent. Furthermore, the Promoter submitted that the plots to be developed do not exceed 500 sq. ms.
6. Accordingly, the Promoter was directed to submit the relevant land documents and the approved/ sanctioned plans.
7. In this regard, it is necessary to peruse the provisions of Section 3 of the RERA which reads as under:

"3. 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."
8. From the plain reading of the Section 3, the Promoter is under obligation not to advertise, market, book, sell or offer for sale, or invite persons to purchase any plot, apartment or building, without registering the real estate project with MahaRERA. However, in the present case, the Promoter had published an advertisement dated 05/03/2023 in Lokmat Newspaper without registering the said project with MahaRERA.
9. However, as directed by the Authority, the Promoter submitted the relevant land documents and the sanctioned plans accordingly. As per the Promoter's land documents, the land parcels proposed to be developed do not exceed 500 sq. ms.

**SUO MOTU ADVERTISEMENT
CASE NO. 29 OF 2023**

and therefore, the Promoter is not in violation of Section 3 of RERA.

10. In view of the above, the present case stands disposed of.



(Dr Vasant Prabhu)

Secretary, MahaRERA