

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

**SUO MOTU ADVERTISEMENT/  
PUNE CASE NO.02 OF 2023**

MahaRERA on its own Motion

.... Complainant

Versus

Shree Balaji Associates, Pune LLP

.... Respondent

**MahaRERA Project Registration No.P52100019275**

Coram: Shri.F.D.Jadhav, Dy.Secretary-Cum-Head  
Adv.Santosh Patil appeared for the respondent / promoter.

**ORDER**

17<sup>th</sup> May, 2023

(Through Video Conferencing)

1. Maharashtra Real Estate Regulatory Authority has delegated certain powers including imposing penalty under Section-59 of the Real Estate (R & D) Act, 2016 (hereinafter called as "Act 2016") for contravention by the promoters of Section-3 of the Act to impose penalty in Section-61 for contravention of the Act by the promoter of the Section 11(2) of the Act etc. In exercise of the powers delegated to me under Section 81 of the Act, 2016 notices were served to the parties, hearing was scheduled and thereafter matter is disposed off.
2. The MahaRERA Authority had issued a show cause notice dated 08-03-2023 to the promoter above named for publishing an advertisement in the 'Facebook' without mentioning the MahaRERA Registration number, in regards to the project "Ganga New Town" Dhanori, bearing MahaRERA Registration No.P52100019275 situated at Dhanori, Pune.

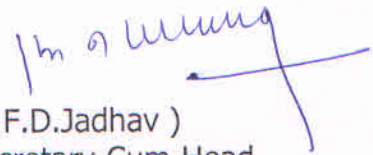
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3. The promoter in his say dated 11-05-2023 has submitted that the advertisement in question was posted on 'Facebook' on 3<sup>rd</sup> and 4<sup>th</sup> March, 2023 and MahaRERA Registration certificate was issued on 15-1-2019 and 05-04-2022 i.e., prior to the advertisement being posted therefore according to him there is no violation of any Rules or Act. He further submitted that respondent is deeply regretted the unintentional oversight of not ensuring the complete visibility of the MahaRERA Registration number in the advertisement. The respondent submits that the promoter has reinforced internal force to avoid similar instance in the future.
4. In this regard hearing was scheduled on 17-05-2023 through Video Conferencing as per the MahaRERA Circular No.27/2023 and MahaRERA Order No.593/2023 wherein the promoter appeared through his representative and made his submissions.
5. During the hearing, the Advocate for promoter Shri.Patil submitted that due to some mistake the MahaRERA Registration number was not mentioned in the advertisement published by the promoter. According to him due to cropping of the MahaRERA Registration number in the advertisement, the MahaRERA Registration number could not reflected.
6. At this juncture, it is necessary to go through the provision of Section 11(2) of the aforesaid Act, 2016 which reads as under:

**"11(2):- "The advertisement or prospectus issued or published by the promoter shall mention prominently the website address of the Authority, wherein all details of the registered project have been entered and include the registration number obtained from the Authority and such other matters incidental thereto."**
7. On careful perusal of the Section 11(2), it appears it is imperative on the part of the promoter to mention the MahaRERA Registration number of the project in the advertisement issued by him. However, in the present case the promoter has published the advertisement in the 'Facebook', but he has failed to publish the MahaRERA Registration number in the advertisement issued by him. It manifestly indicates that the promoter has violated the provisions of Section 11(2) of the Act, 2016.

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8. In view of the above the penalty of Rs.10,000/- under Section 61 of the Act, 2016 is imposed upon the promoter for violation of Section 11(2).
9. The said penalty shall be payable by the promoter within 15 days from the date of this order. Failing which a further penalty of Rs.1,000/- per day is imposed upon the promoter till the realization of entire amount.
10. The Technical and the Finance Department of the MahaRERA Authority shall verify the payment of the said penalty before processing any applications viz. extension, corrections, change of name etc., with respect to the said project.
11. In view of the above, the present case stands disposed off.

  
( F.D.Jadhav )  
Dy.Secretary-Cum-Head,  
MahaRERA, Pune