

**SUO MOTU ADVERTISEMENT
CASE NO. 54 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 54 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Raunak Jigna Associates

.... Respondent/ Promoter

MahaRERA Project Registration No. P51800006705

Coram: Dr Vasant Prabhu, Secretary, MahaRERA

Adv. Harshad Bhadbhade appeared on behalf of the Promoter / Respondent

ORDER

11th August 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 23/05/2023 to the Promoter above named for publishing an advertisement on website namely "<https://www.raunakcentrum-sion.com>" without mentioning the MahaRERA project registration number, in respect of their real estate project "**Raunak Centrum**" bearing MahaRERA registration no. **P51800006705**, situated at Chembur, Mumbai.
2. The Promoter through its written submission dated 05/06/2023, stated that they had not issued the said advertisement on the said website. The Promoter had further stated that they do not know the person who had published the advertisement and the said website - <https://www.raunakcentrum-sion.com> does not belong to them. The Promoter had also submitted that they had not authorised any person/broker/agent to publish any project related advertisement without the MahaRERA project registration number. The Promoter had also stated that, the said website and the phone numbers mentioned on the website were not active.
3. In this regard, a hearing was scheduled on 09/06/2023 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.

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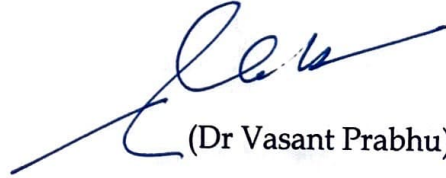
4. During the aforementioned hearing, the Promoter had asserted that the advertisement in question was not issued by them. Additionally, it was clarified that the said website did not belong to the Promoter. Furthermore, the Promoter submitted that they had not granted authorisation to any individual, broker or agent to publish any project-related advertisement without specifying the project registration number. The Promoter had also stated that they had conducted an internal inquiry and discovered that the website in question was inactive, and the phone number provided on the website was also inactive. The Promoter had emphasized that the entity "Homesfy," to whom the website belongs, is not their designated channel partner. The Promoter had also disclosed that they were in the process of contacting the cyber cell in order to file a complaint against this fraudulent practice and to have the website in question taken down.
5. Considering the circumstances, the Promoter was directed to submit a detailed report outlining the actions taken within a period of 7 days from the date of hearing.
6. Accordingly, through written submission dated 19/06/2023, the Promoter had stated that they had filed a police complaint dated 15th June 2023 at Kapurbawadi Police Station, Thane West, against unknown persons having committed offence. The copy of the said police complaint was also filed along with the written submission.
7. In this regard, it is necessary to peruse the provision of section 11(2) of the RERA 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."
8. Upon interpretation of Section 11(2), it becomes apparent that the Promoter bears the

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responsibility to conspicuously display the MahaRERA registration number of the project in any advertisements or prospectus disseminated by them.

9. However, in the present case, the Promoter, herein referred to as **Raunak Jigna Associates**, had not engaged in the dissemination of any advertisement on the website in question. Consequently, **Raunak Jigna Associates** cannot be held accountable for the infringement of Section 11(2) of the Real Estate (Regulation and Development) Act.
10. In view of the above, the present case stands disposed of.



(Dr Vasant Prabhu)

Secretary, MahaRERA