

**SUO MOTU ADVERTISEMENT
CASE NO. 60 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 60 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Investoxpert Advisors Private Limited

(Channel Partner of Godrej Projects)

.... Respondent/Promoter

Agent Registration No. A09200023052

Coram: Dr Vasant Prabhu, Secretary, MahaRERA

None appeared for the Respondent.

ORDER

26th July 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause hearing notice dated 08/06/2023 to the Respondent above named, for issuing an advertisement on website namely <https://godrejhorizonmumbai.co.in> without mentioning the MahaRERA project registration number in regard to Godrej Projects Development Ltd.'s real estate project "Godrej Horizon Phase II" bearing MahaRERA registration no. P51900049757, situated at Mumbai.
2. During the previous hearing dated 09/06/2023, the Respondent had admitted that they had inadvertently failed to include the MahaRERA registration number on the above-mentioned website while promoting the project, Godrej Horizon. Furthermore, the Respondent had stated that they are a channel partner of Godrej Properties Ltd and had already issued an apology to the Promoter. Additionally, the Respondent had also stated that they had taken down the aforementioned website in question.
3. However, during the hearing, the Promoter, Godrej Projects Development Ltd had stated that Investoxpert Advisors Private Limited were not a channel partner for the specific project "Godrej Horizon Phase II." Accordingly, the Respondent was directed to provide confirmation regarding their status as a channel partner in the specific "Godrej Horizon Phase II" project.

**SUO MOTU ADVERTISEMENT
CASE NO. 60 OF 2023**

4. In this regard, a hearing was scheduled on 26/07/2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, when the Respondent can appear through its representative and make its submissions.
5. During the aforementioned hearing, the Respondent failed to appear even though the notice of hearing and the link for hearing were duly served upon the Respondent.
6. During the hearing, the Promoter "Godrej Projects Development Ltd" clarified that Investoxpert Advisors Private Limited is not channel partner for the said project "Godrej Horizon Phase II."
7. In this regard, it is necessary to peruse the provisions of Section 9(5) of the RERA and Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017 which reads as under:

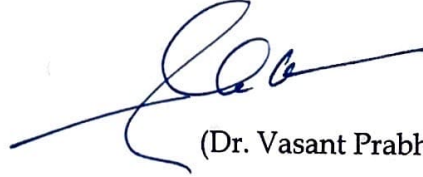
"9(5) Every real estate agent who is registered as per the provisions of this Act or the rules and regulations made thereunder, shall be granted a registration number by the Authority, which shall be quoted by the real estate agent in every sale facilitated by him under this Act."

"14(2) Every registered real estate agent shall quote his number of their registration in all the documents relating to advertisement, marketing, selling or purchase issued by the real estate agent along with the number of registration certificate of the real estate project."
8. From the plain reading of the above-mentioned sections, the Real Estate Agent is under obligation to mention the agent registration number along with the project registration number in the advertisements issued by it.
9. In the present case, the Respondent had published an advertisement on the above-mentioned website. However, the Respondent failed to publish the MahaRERA agent registration number and project registration number in the said advertisement. Hence the Respondent is in contravention of Section 9(5) of RERA and Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects,

**SUO MOTU ADVERTISEMENT
CASE NO. 60 OF 2023**

Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017.

10. Consequently, it is evident that the Respondent is in contravention of Section 9(5) of the Real Estate (Regulation and Development) Act and Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017.
11. In view of the above a penalty of Rs. 25,000/- is imposed upon the Respondent under Section 62 of the RERA for violation of Section 9(5) and Rule 14(2).
12. The said penalty shall be payable by the Respondent within a period of 15 days from the date of this order, failing which a further penalty of Rs. 1,000/- per day would be imposed till compliance.
13. The Technical and Finance Departments of the MahaRERA Authority are mandated to authenticate the payment of the penalty.
14. In view of the above, the present case stands disposed of.



(Dr. Vasant Prabhu)

Secretary, MahaRERA