

**SUO MOTU ADVERTISEMENT
CASE NO. 62 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 62 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Nahar Excalibur Project Private Limited

.... Respondent/Promoter

MahaRERA Project Registration No. P51900000138

Coram: Dr Vasant Prabhu, Secretary, MahaRERA

None appeared for the Promoter.

ORDER

30th June 2023

(Through Video Conferencing)

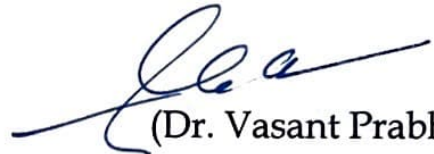
1. The MahaRERA Authority had issued a show cause notice dated 08/06/2023 to the Promoter above named for issuing an advertisement in the Lokmat Newspaper dated 02/06/2023 without mentioning the MahaRERA project registration number in regard to the project "Excalibur by Nahar" bearing MahaRERA registration no. P51900000138, situated at Mahalaxmi, Mumbai.
2. The Promoter by its reply dated 12/06/2023 to the show cause notice dated 08/06/2023, submitted that the aforesaid project is completed on site in all respect and that they have obtained full occupancy certificate dated 17/03/2020 issued by the competent authority i.e., MCGM. Pursuant to the full occupancy certificate, they have also obtained the Architect's Certificate - Project Completion (Form 4) dated 15/04/2023.

3. In this regard, a hearing was scheduled on 30/06/2023 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.
4. However, the Promoter remained absent even though the notice of hearing and the link for the hearing was duly served upon the Promoter.
5. 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."
6. Upon interpretation of Section 11(2), it becomes apparent that the Promoter bears the responsibility to conspicuously display the MahaRERA registration number of the project in any advertisements or prospectus disseminated by them.
7. Notwithstanding the circumstances of the present case, it has come to light that the Promoter did, in fact, release a full-page advertisement in Lokmat Newspaper dated 02/06/2023.

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8. Pursuant to its written submissions, the full occupancy certificate and Architect's Form - Project Completion (Form 4) have been duly obtained and subsequently uploaded onto the MahaRERA portal. Therefore, it is hereby affirmed that the aforementioned project is no longer ongoing but rather completed in accordance with the MahaRERA registration.
9. In view of the above, the present case stands disposed of.



(Dr. Vasant Prabhu)

Secretary, MahaRERA