

**SUO MOTU ADVERTISEMENT  
CASE NO. 64 OF 2023**

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

**SUO MOTU ADVERTISEMENT CASE NO. 64 OF 2023**

MahaRERA on its Own Motion

.... Complainant

Versus

Kashish Park Realtors

.... Respondent/Promoter

**MahaRERA Project Registration No. P51700001799**

**Coram: Dr Vasant Prabhu, Secretary, MahaRERA**

Mr. Vilas Gaikwad & Adv. Nihant Panickar appeared for the Promoter.

**ORDER**

30<sup>th</sup> June 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 09/06/2023 to the Promoter above named for issuing an advertisement in the Maharashtra Times Newspaper dated 28/05/2023 without mentioning the MahaRERA project registration number in regard to the project "**Kashish Park Tower B**" bearing MahaRERA registration no. **P51700001799**, situated at Mumbai.
2. The Promoter by its reply dated 14/06/2023 to the show cause notice dated 09/06/2023, submitted that the said advertisement was issued by them pursuant to obtaining the occupancy certificate. The Promoter further stated that they have completed the said project on 27<sup>th</sup> September, 2022 and the Occupancy Certificate and Architect's Form have been duly uploaded on the MahaRERA portal.


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. During the aforementioned hearing, the Promoter submitted that the said advertisement was for "Kashish Park Tower B." The Promoter stated that the Occupancy Certificate dated 27/09/2022 and the Architect's Form dated 28/09/2022 has been obtained and duly uploaded on the MahaRERA portal. The Promoter also stated that "OC Received" was mentioned in the said advertisement.
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

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light that the Promoter did, in fact, release a full-page advertisement in Maharashtra Times Newspaper dated 28/05/2023.

8. However, in accordance with its submissions, since the Occupancy Certificate and Architect's Form has been obtained and the same has been uploaded on the MahaRERA portal, the Promoter is not in contravention of Section 11(2) of the Real Estate (Regulation and Development) Act.
9. In view of the above, the present case stands disposed of.



(Dr Vasant Prabhu)

**Secretary, MahaRERA**