

**SUO MOTU ADVERTISEMENT
CASE NO. 66 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 66 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Samarth Builders & Developers

.... Respondent/ Promoter

MahaRERA Project Registration No. - Unregistered with MahaRERA

Coram: Dr Vasant Prabhu, Secretary, MahaRERA

None appeared for the Respondent/ 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 publishing an advertisement in the Maharashtra Times newspaper dated 28/05/2023, in respect of your real estate project situated at Navi Mumbai without registering the said project with MahaRERA.
2. The Promoter, despite receiving the show cause notice dated 08/06/2023, failed to provide a satisfactory explanation within the specified time period mentioned in the aforementioned show cause notice.
3. In this regard, a hearing was scheduled on 30/06/2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and

**SUO MOTU ADVERTISEMENT
CASE NO. 66 OF 2023**

MahaRERA Order No. 593/2023, when the Promoter can appear through its representative and make its submissions.


4. During the course of the aforementioned hearing, the Promoter, failed to appear.
5. In this regard, it is necessary to peruse the provisions of Section 3 of the RERA which reads as under:

"3. No Promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment, or building, as the case may be, in any real estate project or part of it, in any planning area, without registering the real estate project with the Real Estate Regulatory Authority established under this Act."
6. An interpretation of Section 3 reveals that the Promoter is legally obligated to refrain from engaging in activities such as advertising, marketing, booking, selling, or inviting individuals to purchase any plot, apartment, or building unless the real estate project in question has been duly registered with MahaRERA.
7. In the present case, it has been established that the Promoter had released a small-sized advertisement in the Maharashtra Times newspaper without fulfilling the requisite registration process with MahaRERA for the advertised project.
8. Therefore, it is hereby directed that a written communication be sent to the Planning Authority, for the purpose of ascertaining whether the

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CASE NO. 66 OF 2023**

Promoter has obtained any requisite authorization for the aforementioned project, and no additional authorization shall be granted for the said project until such time as the aforementioned project has been duly registered with MahaRERA. Moreover, it is directed that the Registration and Stamp Office shall be instructed to abstain from registering any sale agreements within the said project, until such time as the project is duly registered with MahaRERA Authority, in accordance with the stipulations outlined in the said Act.

9. With the above directions, the present case stands disposed of.


(Dr. Vasant Prabhu)
Secretary, MahaRERA