

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

**SUO MOTU ADVERTISEMENT CASE NO. 07 OF 2023**

MahaRERA on its own Motion ..... Complainant  
Versus  
Leverage Realities ..... Respondent/ Promoter

**MahaRERA Project Registration No. P50500049149**

**Coram: Shri.Sanjay Bhimanwar,Dy.Secretary, MahaRERA**

CA Ankit Talreja appeared for the respondent/ promoter.

**ORDER**

28<sup>th</sup> July 2023

(Through Video Conferencing)

1. The Maharashtra Real Estate Regulatory Authority has delegated certain powers on me dated 26/04/2023 under Section -81 of The Real Estate (R&D)Act 2016(hereinafter called as " Act 2016").The said powers, inter alia, contains imposing of penalty under section-59 of the Act-2016 for contravention of section -3 of the Act,2016 by the promoter and to impose penalty under section-61 of the Act,2016 for contravention of section-11(2) of the Act,2016 by the promoter. In Exercise of the powers delegated to me under section 81 of the Act,2016, notices were served to the parties, heard the parties and thereafter matter is disposed of.
2. The MahaRERA authority had issued a show cause notice dated 21/06/2023 to the promoter above named for publishing an advertisement dated 18/03/2023, in the Daily Navbharat, Nagpur Newspaper, for not



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mentioning the MahaRERA project registration number prominently ,in regard to the project "**Leverage Green Heights Wing B**" bearing MahaRERA registration no. **P50500049149**, situated at Shankarpur,Nagpur.

3. The promoter by its reply dated 26/06/2023, to the said show cause notice dated 21/06/2023, had submitted that the advertisement had been published in the Daily Navbharat Newspaper dated 18/03/2023 by its channel partner, Bhumesh Realtors , a real estate marketing company registered with MahaRERA having Real Estate agent number A50500013756 and duly contains the RERA Registration number. As the size of the advertisement was reduced to very small size , the RERA registration number appears blurred. And there was no malicious intent at all for not mentioning the RERA Registration Number prominently of the aforesaid project.
4. In this regard, a hearing was scheduled on 28/07/2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, when the promoter appeared through its representative and made its submissions.
5. During the hearing, the promoter submitted that the RERA Registration Number for the aforesaid project is duly mentioned in the advertisement published in Daily Navbharat, Nagpur newspaper dated 18/03/2023. But due to very small size , it appears little blurred. Promoter further sought an apology and assured that henceforth the MahaRERA Project registration number will be mentioned prominently which is visible to the naked eyes in all the advertisements published by it.
6. 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**

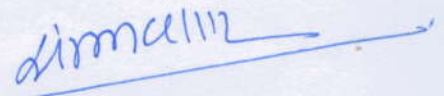


***entered and include the registration number obtained from the Authority and such other matters incidental thereto."***

7. From the plain reading of the section 11(2), the promoter is under obligation to mention prominently, the registration number of the project in the advertisements or the prospectus issued by it. In the context, the purpose of mentioning the registration number of the project prominently is that the people should get the thorough information of the project in interest in detail on MahaRERA Website. However, in the present case, the promoter has published an advertisement in the Daily Navbharat, Nagpur newspaper dated 18/03/2023. Promoter mentioned the MahaRERA project registration number which was not clearly visible to the naked eyes in the said advertisement dated 18/03/2023 issued by it in the Daily Navbharat, Nagpur Newspaper. The MahaRERA authority has observed that the MahaRERA Project registration number of an aforementioned project in an advertisement published appears blurred and not readable with the naked eyes. Mere mention of the MahaRERA Project registration for namesake which appears blurred and or not clearly visible and or not readable with the naked eyes does not serve the purpose of section 11(2). Hence, the promoter is in violation of section 11(2) of the Act, 2016 for publishing the advertisement of the said project **"Leverage Green Height"** for not mentioning the MahaRERA registration number prominently in the said advertisement.
8. In view of the above, a penalty of Rs. 5,000/- under section 61 of the of the Act, 2016, is imposed upon the promoter for violation of section 11(2).
9. The said penalty shall be payable by the promoter 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.
10. The Technical and Finance Department of the MahaRERA authority shall verify the payment of the said penalty before processing any applications viz. extension, correction, change of name etc., with respect to the said

project.

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

  
(Sanjay Bhimanwar)

**Dy. Secretary,  
MahaRERA, Nagpur.**