

**SUO MOTU ADVERTISEMENT
CASE NO. 71 OF 2023**

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

SUO MOTU ADVERTISEMENT CASE NO. 71 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

The Great Konkan Valley

.... Respondent/ Promoter

MahaRERA Project Registration No. – Unregistered with MahaRERA

Coram: Dr Vasant Prabhu, Secretary, MahaRERA

Mr. Parth Riswadkar and Adv. Tushar Khare appeared on behalf of the Promoter.

ORDER

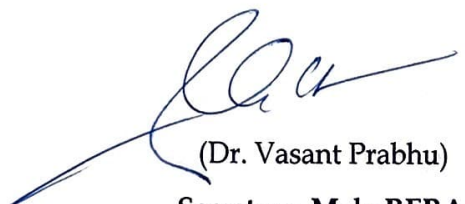
26th July 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 26/06/2023 to the Promoter above named for publishing an advertisement dated 23/03/2023 in Maharashtra Times Newspaper without registering the said project with MahaRERA Authority, situated at Dapoli.
2. The Promoter, despite receiving the show cause notice dated 26/06/2023, 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 26/07/2023 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 asserted that they had obtained a N.A. order dated 09/11/2015. Moreover, the Promoter attested that the subject property is held in freehold and initiated the sale of individual plots in November 2016. Furthermore, the Promoter claimed the intention to construct bungalows on the aforementioned plots pursuant to contractual agreements.
5. Accordingly, the Promoter is hereby directed to submit a detailed reply along with the N.A. order within a period of 7 days from the date of hearing.

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6. 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."*
7. 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.
8. 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.
9. However, in accordance with the directions, the Promoter submitted the required N.A. order which was obtained on 09/11/2015, therefore, the Promoter has not contravened Section 3 of RERA.
10. In view of the above, the present case stands disposed of.


(Dr. Vasant Prabhu)
Secretary, MahaRERA