

Date : 18-05-2023

Sr.No.2

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

Video Conferencing Hearing as per MahaRERA Order

No.593/2023 Held by

Shri.F.D.Jadhav, Dy.Secretary-Cum-Head

SUO MOTU ADVERTISEMENT PUNE CASE NO. OF 2023	PROJECT NO.	NAME OF PROMOTER	PROJECT NAME
9	P52100045388	Mahindra Lifespace Developers limited	Mahindra Happinest Tathawade Phase 2

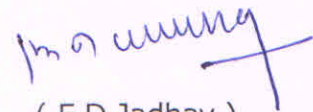
R O Z N A M A

Appearance : Adv.Ankit Tripathi & Mahesh Hublikar

Heard the arguments of Adv.Ankit Tripathi & Mahesh Hublikar, Manager. The Adv.Tripathi has argued that the promoter has not given alleged advertisement. According to him the alleged image of the advertisement has not been uploaded by the company on the company's official facebook (<https://.facebook.com/mahindraLifespaces/>). The said company had requested this office to provide the source of the facebook page on which the alleged image without MahaRERA registration number of project has been uploaded. This office has saved only image of the advertisement but not saved the page of the facebook.

The Adv. Tripathi further argued that the promoter's company entered an agreement with the Channel Partner regarding the advertisement and unless and until the material of advertisement is provided by the company, the channel partner cannot publish advertisement. It is further averred by him that the promoter company has provided the images of the project containing MahaRERA registration number to the channel partner for publishing the advertisement. Copies of said images have been submitted by the promoter to this Authority. The Sr.Legal Manager of the company Shri.Hublikar has stated that he himself inquired with the channel partner and other officials about the advertisement published regarding the said project without MahaRERA registration number. However, the channel partner and others have stated him that no one has published advertisement of the said project without MahaRERA registration number.

In view of above facts and since there is no prima facie evidence as to who has published the alleged advertisement, the promoter cannot be held liable for the violation of Section-11(2) of Real Estate (R & D) Act, 2016. Consequently there is no order regarding penalty under Section-61 of the Act, 2016. This matter stands closed.



(F.D.Jadhav)
Dy.Secretary-Cum-Head,
MahaRERA, Pune