

**SUO MOTU ADVERTISEMENT
CASE NO. 33 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 33 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

RNA Builders (NG)

....Respondent/Promoter

MahaRERA Project Registration No. - Unregistered with MahaRERA

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

None appeared on behalf of the Promoter / Respondent.

ORDER

30th May 2024

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 23/01/2024 to the Promoter above named for issuing an advertisement in Maharashtra Times Newspaper dated 16.12.2023, in respect of their real estate project, "NG Royal Park" situated at Kanjurmarg, without registering the said project with MahaRERA Authority.
2. The Promoter, inspite of having received the show cause notice dated 23.01.2024, failed to show cause the same within the stipulated time period mentioned in the show cause notice.
3. In the preceding hearing dated 06.03.2024, the Promoter remained absent even though the notice of hearing and the link for the hearing was duly served upon the Promoter and therefore in compliance with the principles of natural justice, the matter was adjourned to the next date of hearing.
4. In this regard, a hearing was scheduled on 30.05.2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Promoter could have appeared through its representatives and made its

submissions.

5. However, during the aforementioned hearing, the Promoter once again failed to appear even though the notice of hearing and the link for the hearing was duly served upon the Promoter.
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 matter 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 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. However, in the present case, it has been established that the Promoter had published an advertisement in Maharashtra Times Newspaper without fulfilling the requisite registration process with the MahaRERA Authority for the advertised project.
9. Furthermore, since the said real estate project “NG Royal Park” is not registered with the MahaRERA Authority as per the mandates of Section 3 of the Real Estate (Regulation and Development) Act, 2016, the matter can be taken up as a source complaint.
10. Therefore, the matter should be transferred to Legal Consultant, Mrs. Nalini Sathe for further necessary action.

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11. In view of the above, the present case stands disposed of.



Dr. Vasant Prabhu
Secretary, MahaRERA