

**SUO MOTU ADVERTISEMENT
CASE NO. 38 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 38 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

Ambit Builders & Developers

....Respondent/Promoter

MahaRERA Project Registration No. P51800052265

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

None appeared for the Promoter / Respondent.

ORDER

30th May 2024

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 22/02/2024 to the Promoter above named for issuing an advertisement on website namely "<https://www.codenameworthit.com/>" in respect of their real estate project, "**Ambit Vista**," situated at Andheri, Mumbai Suburban, without mentioning the MahaRERA Project Registration Number in the said advertisement.
2. In the preceding hearing dated 06.03.2024, the Promoter remained absent and in compliance with the principles of natural justice, the matter was adjourned to the next date of hearing.
3. The Promoter through its written submission, stated that the said advertisement on the said website in question was published by some channel partner who is not affiliated with the Promoter. The Promoter further asserted that the channel partner had published the said advertisement on his own.
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 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 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. Despite the circumstances of the present case, it has been established that although the Promoter did not publish the advertisement on the website in question, they failed to investigate the matter thoroughly and take stringent actions, such as filing a formal complaint with the Cybercell.
8. Henceforth, it becomes manifestly clear that the Promoter stands in violation of Section 11(2) of the Real Estate (Regulation and Development) Act.
9. In view of the above a penalty of Rs. 25,000/- is imposed upon the Promoter under Section 61 for violation of the provisions of Section 11(2) of the Real Estate (Regulation and Development) Act.
10. The said penalty shall be payable by the Promoter within a period of 15 days from the date the penalty is enforced, failing which a further penalty of Rs. 1,000/- per day would be imposed till compliance.
11. The Technical and Finance Departments of the MahaRERA Authority are mandated to authenticate the payment of the penalty prior to initiating the processing of any applications, including but not limited to extensions, corrections, and change of

name, pertaining to the specified project.

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



Dr. Vasant Prabhu
Secretary, MahaRERA