

**SUO MOTU ADVERTISEMENT
CASE NO. 135 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 135 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

Dipesh H. Vora

....Respondent

MahaRERA Agent Registration No. A51800002214

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

None appeared on behalf of the Respondent.

ORDER

10th June 2024

(Through Video Conferencing)

1. The Advertising Standards Council of India had issued an intimation letter dated 09.02.2024 to the Respondent above named for issuing an advertisement on Facebook platform dated 16.01.2024 in regard to Prime Smile JV's real estate project "The Pearl" situated at Borivali without incorporating the Agent Registration Number in the said advertisement.
2. The Respondent, inspite of having received the intimation letter from the "Advertising Standards Council of India" failed to comply with MahaRERA regulation and modify or withdraw the said advertisement.
3. In this regard, a hearing was scheduled on 10.06.2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023 wherein the Respondent could have appeared through its representatives and made its submissions.
4. However, during the aforementioned hearing, the Respondent failed to appear even though the notice of hearing and the link for the hearing was duly served upon the Respondent.

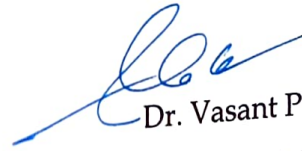
5. In this regard, it is necessary to peruse the provisions of Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017, which reads as under:

"14(2) Every registered real estate agent shall quote his number of their registration in all the documents relating to advertisement, marketing, selling or purchase issued by the real estate agent along with the number of registration certificate of the real estate project."

6. From the plain reading of the above-mentioned section, the real estate agent is under obligation to mention the agent registration number and project registration number of the said real estate project in the said advertisement issued by it.
7. In the present case, the Respondent had published an advertisement on the Facebook platform dated 16.01.2024. However, the Respondent failed to incorporate MahaRERA agent registration number in the said advertisement.
8. Henceforth, it becomes manifestly clear that the Respondent stands in violation of Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017.
9. In view of the above a penalty of Rs. 10,000/- is imposed upon the Respondent under Sections 65 of the RERA for violation of the provisions of Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017.
10. The said penalty shall be payable by the Respondent 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.

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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