

**SUO MOTU ADVERTISEMENT
CASE NO. 29 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 29 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

Mystic India Realtors LLP

....Respondent

Agent Registration No. A51900006152

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

None appeared for the Respondent.

ORDER

30th May 2024

(Through Video Conferencing)

1. The MahaRERA authority had issued a show cause notice dated 24.11.2023 to the Respondent above named for publishing an advertisement dated on a website namely "<https://minervamahalaxmi.com/>" in respect of Lokhandwala Kataria Construction Private Limited's real estate project "The Minerva" registered with MahaRERA under Project Registration No. P51900008204, situated at Mumbai City without mentioning the MahaRERA project registration number and the Quick Response (QR) Code of the said real estate project in the said advertisement.
2. The Respondent, through its written submissions dated 24.01.2024, stated that the Agent Registration Number mentioned on the said website does not belong to their firm and thus the said website is not owned by them.
3. In the preceding hearings dated 23.01.2024 and 06.03.2024, the Respondent remained absent even though the notice of the hearing and the link for the hearing was duly served upon the Respondent.
4. The Respondent, through its subsequent written submission dated 24.01.2024 stated that in accordance with their internal investigation, it was revealed that the phone

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number mentioned to the said website belongs to one Mr. Vishal Changani, Proprietor of a channel partner firm named Mystic India Realtors IPC. Further, the Respondent also asserted that the said website in question is currently inactive and no longer accessible.

5. 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 Respondent could have appeared through its representatives and made its submissions.
6. However, during the aforementioned hearing, the Respondent failed to appear even though the notice of hearing and link for the hearing was duly served upon the Respondent.
7. 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; MahaRERA Order No. 46B/2023 dated 21.08.2023 read with MahaRERA Order No. 46/2023 dated 29.05.2023 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."

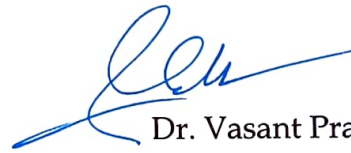
"MahaRERA Order No. 46B/2023 Real estate agents shall prominently display QR code on each and every real estate promotion/ advertisement published in the mediums as more specifically listed in MahaRERA Order No. 46/2023 dated 29.05.2023."

"MahaRERA Order No. 46/2023 The Promoter shall prominently display QR Code on each and every project promotion/advertisement published after 01.08.2023. The QR Code must be published in a manner that is legible, readable, and detectable with software application. The QR code must be published besides the MahaRERA Registration Number and the Website Address. The mandate as mentioned above

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shall apply to the mediums of promotion/advertisement and in any other medium as may be directed by the Authority."

8. From the plain reading of the above-mentioned orders, the real estate agent is under obligation to mention the Agent Registration Number, Project Registration Number and the QR code of the registered project into any promotions or advertisements.
9. However, the Respondent, herein referred to as Mystic India Realtors LLP, had not engaged in the dissemination of any promotional materials upon the specified website. Instead, another channel partner firm named Mystic India Realtors IPC owned and operated the said website in question. Therefore, the Respondent is not 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 in conjunction with MahaRERA Order No. 46B/2023 dated 21.08.2023 read with MahaRERA Order No. 46/2023 dated 29.05.2023
10. In view of the above, the present case stands disposed of.



Dr. Vasant Prabhu

Secretary, MahaRERA