

**SUO MOTU ADVERTISEMENT  
CASE NO. 110 OF 2023**

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

**SUO MOTU ADVERTISEMENT CASE NO. 110 OF 2023**

MahaRERA on its Own Motion

.... Complainant

Versus

Raheja Universal Pvt. Ltd.

.... Respondent/Promoter

**MahaRERA Project Registration No. P51800017918**

**Coram: Dr. Vasant Prabhu, Secretary, MahaRERA**

Adv. Suraj Swami appeared on behalf of the Respondent / Promoter.

**ORDER**

24<sup>th</sup> November 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 04/09/2023 to the Promoter above named for issuing an advertisement on Instagram platform sponsored by "Premium Launch" in respect of their real estate project "Raheja Exotica Verona," situated at Borivali, Mumbai registered with MahaRERA under Project Registration No. P51800017918 without mentioning the MahaRERA project registration number as well as the Quick Response (QR) code of the said project in the said advertisement.
2. The Promoter, through its written submission dated 13.09.2023, stated and clarified that the said advertisement in question was not issued by them.
3. In this regard, a hearing was scheduled on 13.10.2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Promoter could appear through its representative and make its submissions.
4. During the aforementioned proceedings, the Promoter claimed that the advertisement in question was released by an external broker without their consent.

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They also stated that they had personally reached out to the external broker, who indicated willingness to apologize. Moreover, the Promoter clarified that the mentioned external broker is not associated with them as a Channel Partner, and they have already taken down the relevant website.

5. After considering the submissions of the Promoter, the Promoter was thereby directed to file a formal complaint with the cybercell against the offender and to furnish a comprehensive report outlining the actions taken within a period of 15 days from the date of hearing.
6. In this regard, it is necessary to peruse the provisions of Section 11(2) of the RERA; MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023, 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."*

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

*"MahaRERA Order No. 46A/2023 with effect from 01.08.2023, Promoter shall prominently display the QR code on each and every real estate project promotion/advertisement published in the mediums, in the manner and at the place as more specifically mentioned in MahaRERA Order No. 46/2023 dated 29.05.2023."*

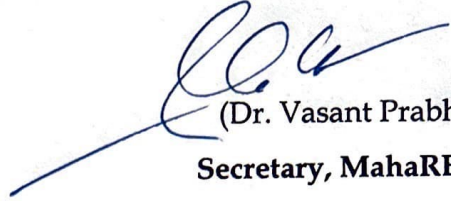
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7. The Promoter, through its written submission stated that a formal complaint was filed with the cyber police station dated 08.11.2023 asserting that the said advertisement published on Instagram platform was posted by Bullmen Realty India Private Limited bearing MahaRERA agent registration number A51900009197 without their knowledge and instructions. Further, it was clarified that the said real estate agent is not registered with them as a Channel Partner.
8. In this regard, a second hearing was scheduled on 24.11.2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Promoter could appear through its representative and make its submissions.
9. During the hearing, the Promoter submitted that the said advertisement published on Instagram platform was advertised by Bullmen Realty India Private Limited without the Promoter's knowledge and instructions. The Promoter further stated that the said real estate agent is not registered with them as a Channel Partner.
10. After thorough deliberation upon Promoter's contention, it is evident that they are dedicated to rectifying the situation and ensuring compliance with the regulatory provisions set forth by MahaRERA.
11. Therefore, in the present case, the Promoter, herein referred to as **Raheja Universal Pvt. Ltd.**, had not engaged in the dissemination of any advertisement on Instagram platform. Consequently, **Raheja Universal Pvt. Ltd.** cannot be held accountable for the infringement of Section 11(2) of the Real Estate (Regulation and Development) Act along with MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023.



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

  
(Dr. Vasant Prabhu)  
Secretary, MahaRERA