

**SUO MOTU ADVERTISEMENT
CASE NO. 40 OF 2024**

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

SUO MOTU ADVERTISEMENT CASE NO. 40 OF 2024

MahaRERA on its Own Motion

.... Complainant

Versus

Magnaacasa Realty Pvt. Ltd.

.... Respondent/Promoter

MahaRERA Project Registration No. P51800022998

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

Mr. Vivek More appeared for the Promoter / Respondent.

ORDER

06th March 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 25.11.2023, 02.12.2023 and 09.12.2023 in regard to their real estate project situated at Kurla registered with MahaRERA under Project Registration No. **P51800022998** without mentioning the MahaRERA project registration number of the said project in the said advertisements.
2. The Promoter, through its written submission dated 02.02.2024 stated that the omission of the MahaRERA project registration number from the said advertisements occurred due to an oversight by the advertising agency.
3. In this regard, a hearing was scheduled on 06.03.2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Promoter can appear through its representatives and make its submissions.
4. During the aforementioned proceedings, the Promoter submitted that exclusion of MahaRERA project registration number in the said advertisements was an

**SUO MOTU ADVERTISEMENT
CASE NO. 40 OF 2024**

inadvertent mistake on the part of the advertising agency.

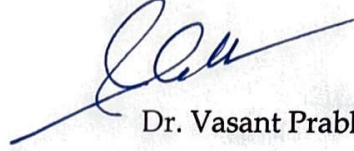
5. In this regard, it is necessary to peruse the provisions of Section 11(2) of the RERA, which reads as under:

"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."

6. Notwithstanding the circumstances of the present case, it has been established that the Promoter had published an advertisement in Maharashtra Times Newspaper dated 25.11.2023, 02.12.2023 and 09.12.2023. Furthermore, the Promoter had failed to mention the MahaRERA project registration number of the said project within the aforementioned advertisement.
7. Henceforth, it becomes manifestly clear that the Promoter stands in violation of Section 11(2) of the Real Estate (Regulation and Development) Act.
8. In view of the above a penalty of Rs. 25,000/- is imposed upon the Promoter under Section 61 of RERA for violation of the provisions of Section 11(2) of the Act.
9. 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.
10. 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.

**SUO MOTU ADVERTISEMENT
CASE NO. 40 OF 2024**

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



Dr. Vasant Prabhu
Secretary, MahaRERA