

**SUO MOTU ADVERTISEMENT  
CASE NO. 27 OF 2023**

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

**SUO MOTU ADVERTISEMENT CASE NO. 27 OF 2023**

MahaRERA on its Own Motion

.... Complainant

Versus

Laxmi Brothers Builders LLP

.... Respondent/ Promoter

**MahaRERA Project Registration No. – Unregistered with MahaRERA**

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

Mr. Suraj Singh Thakur appeared for the Respondent/ Promoter.

**ORDER**

11<sup>th</sup> March 2024

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 03/03/2023 to the Promoter above named for issuing an advertisement in Newspaper, in respect of their real estate project situated at Azamshah Chowk, CA Road, Nagpur without registering the said project with MahaRERA Authority.
2. The Promoter had filed a review application of the previous ex-parte order dated 02.06.2023, stating that the plot size of the area to be developed is less than 500 sq. mtrs. and hence, MahaRERA project registration for the said project is not required.
3. In the preceding three hearings dated 24.04.2023, 26.04.2023 and 02.06.2023, the Promoter failed to appear, and an ex-parte order dated 02.06.2023 was passed.
4. The Promoter, through its written submission dated 16.02.2024, asserted that the plot size of the area to be developed is less than 500 sq. mtrs. Further, the Promoter submitted that their property card, submitted along with the written submission mentions the plot size as 325.88 sq. mtrs.
5. In this regard, a hearing was scheduled on 06/03/2024 through video conferencing

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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.

6. However, the Promoter failed to appear even though the notice of hearing and the link for the hearing was duly served upon the Promoter.
7. In this regard, again a second hearing was scheduled on 11/03/2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023.
8. During the aforementioned hearing, the Promoter submitted that that the plot size of the area is 325.88 sq. mtrs., which is less than 500 sq. mtrs and the property card of the said plot has been submitted along with the written submission.
9. In this regard, it is necessary to peruse the provisions of Section 3(2)(a) of the RERA which reads as under:

***"3(2) Notwithstanding anything contained in sub-section (1), no registration of the real estate project shall be required -***

***3(2)(a) where the area of land proposed to be developed does not exceed five hundred square meters or the number of apartments proposed to be developed does not exceed eight inclusive of all phases."***
10. Therefore, in accordance with the Promoter's written submission and property card of the said plot, the land parcel proposed to be developed does not exceed 500 sq. mtrs. and thus, the Promoter is not in violation of Section 3 of RERA.

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11. In view of the above, the said matter stands disposed of and this order nullifies the previous order dated 02.06.2023.



**Dr. Vasant Prabhu**  
Secretary, MahaRERA