

**SUO MOTU ADVERTISEMENT
CASE NO. 118 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 118 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Larsen & Toubro Ltd. (Realty Division)

.... Respondent/Promoter

MahaRERA Project Registration No. - Multiple Registered Projects

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

None appeared on behalf of the Respondent / Promoter.

ORDER

13th October 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 29/08/2023 to the Promoter above named for issuing an advertisement on website namely "<https://elixir.1nt-powai.in/> in respect of their real estate project "Emerald Isle - T9, T15, T16, T10," situated at Kurla, Mumbai Suburban registered with MahaRERA under Project Registration Nos. P51800007280, P51800013052, P51800013214 and P51800013504 without incorporating the Quick Response (QR) codes of the said projects in the said advertisement.
2. The Promoter, through its written submission dated 08/09/2023, the Promoter affirmed that the website referred to in the show cause notice was not under their ownership or control. They emphasized their compliance with the directives outlined in MahaRERA Order No. 46/2023 and 46A/2023, asserting the presence of QR codes on their website since July 28th, 2023.
3. Additionally, the Promoter clarified that the website mentioned in the show cause notice belonged to their channel partner, "Homesfy Realty Limited," hence they lacked control or authorisation over it. They also confirmed issuing a notice to the said channel partner, urging them to comply with MahaRERA Order No. 46B/2023

**SUO MOTU ADVERTISEMENT
CASE NO. 118 OF 2023**

dated August 21st, 2023, by promptly displaying the QR code on the website and associated advertisements.

4. Furthermore, the Promoter emphasized that the aforementioned channel partner had affirmed their prompt action by uploading the QR codes on the website and adhering to the provisions of MahaRERA Order No. 46B/2023.
5. 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 have appeared through its representative and made its submissions.
6. However, during the course of the proceedings, the Promoter failed to appear, even though the notice of hearing and the link for the hearing was duly served upon the Promoter.
7. Upon considering the written submissions of the Promoter, it was thereby directed to issue a show cause notice to the real estate agent namely "Homesfy Realty Limited."
8. In this regard, it is necessary to peruse the provisions of MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023, which reads as under:

"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

**SUO MOTU ADVERTISEMENT
CASE NO. 118 OF 2023**

place as more specifically mentioned in MahaRERA Order No. 46/2023 dated 29.05.2023."

9. In accordance with the show cause notice issued to the said Channel Partner "Homesfy Realty Limited," hearing was conducted on 13th October 2023 and penalty of Rs. 50,000/- was imposed upon the Channel Partner for being in contravention of MahaRERA Order No. 46B/2023 dated 21st August 2023 read with MahaRERA Order No. 46/2023 dated 29th May 2023.
10. After thorough deliberation upon Promoter's written submission and contention, it is evident that they were 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 **Larsen & Toubro Ltd. (Realty Division)**, had not engaged in the dissemination of any advertisement on a website namely <https://elixir.1nt-powai.in/>. Consequently, **Larsen & Toubro Ltd. (Realty Division)** cannot be held accountable for the infringement of MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46A/2023.
12. In view of the above, the present case stands disposed of.



(Dr. Vasant Prabhu)

Secretary, MahaRERA