

**SUO MOTU ADVERTISEMENT  
CASE NO. 28 OF 2024**

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

**SUO MOTU ADVERTISEMENT CASE NO. 28 OF 2024**

MahaRERA on its Own Motion

.... Complainant

Versus

Lotus Logistics & Developers Pvt. Ltd.

.... Respondent/Promoter

**MahaRERA Project Registration No. P51800005655**

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

None appeared for the Promoter / Respondent.

**ORDER**

23<sup>rd</sup> January 2024

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 24.11.2023 to the Promoter above named for issuing an advertisement in Times of India & Mirror Newspapers dated 28.10.2023 and 29.10.2023 respectively, in regard to their real estate project "**Lotus Sky Garden**," situated at Borivali, Mumbai Suburban registered with MahaRERA under Project Registration No. **P51800005655** without incorporating the Quick Response (QR) Code of the said real estate project in the said advertisements.
2. The Promoter, through its written submission dated 01.12.2023, asserted that they were not aware of the fact that their project, "**Lotus Sky Garden**," had been assigned a QR code until November 30, 2023.
3. In this regard, a hearing was scheduled on 23.01.2024 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. However, during the aforementioned proceedings, the Promoter failed to appear

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even though the notice of hearing and the link for hearing was duly served upon the Promoter.

5. 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. 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."*

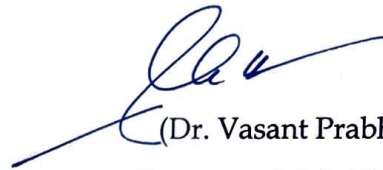
*"MahaRERA Order No. 46/2023 The Promoter shall prominently display QR Code on each and every project promotion/advertisement published after 01.08.2023. The QR Code must be published in a manner that is legible, readable, and detectable with software application. The QR code must be published besides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

6. Notwithstanding the circumstances of the present case, it has come to light that the Promoter had released an advertisement in Times of India & Mirror Newspapers dated 28.10.2023 and 29.10.2023 respectively. Furthermore, the Promoter had failed to incorporate the MahaRERA QR Code within the aforementioned advertisements.
7. Henceforth, it becomes manifestly clear that the Promoter stands in violation of MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46A/2023 dated 25.07.2023.
8. In view of the above a penalty of Rs. 50,000/- is imposed upon the Promoter under Section 63 for violation of MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46A/2023 dated 25.07.2023.
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

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



(Dr. Vasant Prabhu)

**Secretary, MahaRERA**