

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

**SUO MOTU ADVERTISEMENT/
PUNE CASE NO.24 OF 2023**

MahaRERA on its own Motion Complainant

Versus

Paranjape Schemes (Construction) Ltd. Respondent

**MahaRERA Project Registration No.(1) P52100022655,
(2) P52100000067, (3) P52100000029 & (4) P52100048536**

Coram: Shri.F.D.Jadhav, Dy.Secretary-Cum-Head

Appearance :- Manasi Marathe, Legal Consultant

ORDER

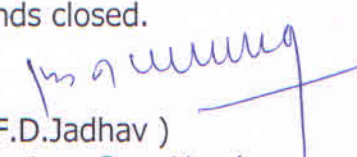
27th June, 2023

(Through Video Conferencing)

1. Maharashtra Real Estate Regulatory Authority has delegated certain powers on me on dated 26.04.2023 under Section-81 of the Real Estate (R & D) Act, 2016 (hereinafter called as "Act 2016"). The said powers, inter alia, contains imposing of penalty under Section 59 of the Act, 2016 for contravention of the provision of Section 3 by the promoter and to impose penalty under Section 61 of the Act for contravention of Section 11(2) of the Act etc. In exercise of the said powers delegated to me under Section 81 of the Act, 2016, notices were served to the Respondent-Promoter. Heard the parties and thereafter decided the matter.
2. This proceeding has been commenced in pursuance of the alleged advertisement of the projects of the respondent-promoter published in "Times of India" newspaper on April 14, 2023. By virtue of this advertisement, show-cause notice, dated 25.04.2023 was issued to the promoter for penal action under Section 61 of the Act, 2016 on account of violation of Section 11(2) of the Act 2016, in respect of their real estate projects registered with MahaRERA under Project Registration Nos.

mentioned in the caption of this order. It was alleged that Registration Numbers of four real estate projects have not been included/mentioned in the said advertisement by the promoter.

3. Promoter has filed his reply and admitted to have issued advertisement in Times of India, Newspaper, dated 14.04.2023 in respect of their real estate projects registered with MahaRERA under the Project Registration Nos. mentioned above. It is further submitted by the promoter that they have disclosed the project registration Nos. of the above said projects at the bottom of the last page of said advertisement. Promoter further submitted that there is no violation of Section 11(2) of the Act, 2016 and therefore, no penal action be taken under Section 61 of the Act, 2016 against him.
4. Legal Consultant Manasi Marathe for promoter appeared and reiterated the contentions raised by the promoter in their reply and submitted that since the promoter has mentioned the RERA Registration Numbers in the advertisement published in the Times of India Newspaper, there is no any violation of Section 11(2) of the Act, 2016 and therefore, penal action under Section 61 of the Act, 2016 cannot be taken against the promoter.
5. Times of India Newspaper, dated 14.04.2023 wherein advertisement is published is on record. Perused the impugned advertisement of the aforesaid projects of the promoter published in Times of India, dated 14.04.2023 and it is found that registration Nos. of the projects mentioned above are reflecting therein. As RERA Registration number appears on the advertisement, there is no any violation of Section 11(2) of the Act, 2016. As such, no case is made out against the promoter. In view of this, this is not a suitable case to impose the penalty under Section 61 of the Act, 2016. Thus this matter stands closed.


(F.D.Jadhav)
Dy.Secretary-Cum-Head,
MahaRERA, Pune