

**SUO MOTU ADVERTISEMENT  
CASE NO. 75 OF 2023**

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

**SUO MOTU ADVERTISEMENT CASE NO. 75 OF 2023**

MahaRERA on its Own Motion

.... Complainant

Versus

Raymond Limited

.... Respondent/Promoter

**MahaRERA Project Registration No. P51700052008**

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

Adv. Nidhi Singh a/w Adv. Zoheb Khatri appeared on behalf of the Respondent /  
Promoter.

**ORDER**

24<sup>th</sup> November 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 02/08/2023 to the Promoter above named for issuing an advertisement in Loksatta and Maharashtra Times Newspapers dated 29/07/2023 and 31/07/2023 respectively, in respect of their real estate project situated at Thane, registered with MahaRERA under Project Registration No. P51700052008 without mentioning the MahaRERA project registration number in the said advertisement.
2. The Promoter, through its written submission dated 14/08/2023, stated that they haven't published any advertisements which are in violations of the provisions of the said Act, or any guidelines issued by the MahaRERA. The Promoter further submitted that two advertisements of the said project were published in the newspapers Loksatta and Maharashtra Times on 29<sup>th</sup> July 2023 and 31<sup>st</sup> July 2023 respectively without mentioning the project registration number. However, the Promoter emphasized that they held no involvement in the publication of such advertisements and that they bear no responsibility for instigating the release of the specific advertisements.

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3. The Promoter had further submitted that after perusing the alleged advertisements, it was observed that the two alleged advertisements were published by Mr. Adik Mahajan, registered RERA Agent (through his representative Mr. Vijay Chavan). The Promoter also asserted that Mr. Adik Mahajan is associated with them in the capacity of a registered channel partner. Moreover, the Promoter stated that a notice dated 11<sup>th</sup> August 2023 was issued to Mr. Adik Mahajan for such unlawful advertisements.
4. In this regard, a hearing was scheduled on 01/09/2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, when the Promoter can appear through its representative and make its submissions.
5. In the hearing dated 01/09/2023, the Promoter had submitted that the said advertisement was published by one of their channel partners but without the Promoter's knowledge and permission. The Promoter had further submitted that they had already issued a legal notice to the said channel partner.
6. After considering the submissions of the Promoter, the Promoter was thereby directed to submit a comprehensive report in regard to the action taken against the said channel partner within a period of 15 days from the date of hearing.
7. The Promoter, through its written submission dated 14/09/2023, stated that another notice dated 7<sup>th</sup> September 2023 was issued to Mr. Adik Mahajan concerning his involvement in misleading advertisements. Moreover, a final warning was issued upon Mr. Adik Mahajan that failure to comply and adhere to the rules of MahaRERA will leave the Promoter with no choice but to initiate legal proceedings against Mr. Adik Mahajan. The Promoter further submitted that the acknowledgement provided by Mr. Adik Mahajan clearly demonstrates that the published advertisements were done so without their consent, permission or authorisation.
8. During the aforementioned proceedings, the Promoter stated that they hold no

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involvement in the publication of such advertisements and that it was observed that the said both advertisements were published by Mr. Adik Mahajan through his representative Mr. Vijay Chauhan. The Promoter further stated that they took prompt action by issuing a notice and the acknowledgement provided by Mr. Adik Mahajan clearly demonstrated that the published advertisements were issued without consent, permission or authorisation of the Promoter.

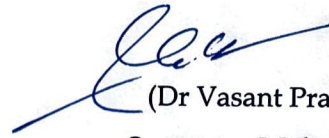
9. In this regard, it is necessary to peruse the provision of Section 11(2) of the RERA which reads as under:

*"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."*

10. Upon interpretation of Section 11(2), it becomes apparent that the Promoter bears the responsibility to conspicuously display the MahaRERA registration number of the project in any advertisements or prospectus disseminated by them.
11. After thorough deliberation upon Promoter's contention, it is evident that they are dedicated to rectifying the situation and ensuring compliance with the regulatory provisions set forth by MahaRERA.
12. Therefore, in the present case, the Promoter, herein referred to as **Raymond Limited**, had not engaged in the dissemination of any advertisement in Loksatta and Maharashtra Times Newspapers. Consequently, **Raymond Limited** cannot be held accountable for the infringement of Section 11(2) of the Real Estate (Regulation and Development) Act.

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



(Dr Vasant Prabhu)

**Secretary, MahaRERA**