

**SUO MOTU ADVERTISEMENT  
CASE NO. 89 OF 2023**

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

**SUO MOTU ADVERTISEMENT CASE NO. 89 OF 2023**

MahaRERA on its Own Motion

.... Complainant

Versus

Macrotech Developers Limited

.... Respondent/Promoter

**MahaRERA Project Registration No. P51800031360**

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

None appeared on behalf of the Respondent / Promoter.

**ORDER**

01<sup>st</sup> September 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 22/08/2023 to the Promoter above named for issuing an advertisement on website namely "<https://www.homesfyrealty.com/lodha-mulund/>" in respect of their real estate project "Lodha Regalia Limited Edition," situated at Kurla, Mumbai Suburban registered with MahaRERA under Project Registration No. P51800031360 without incorporating Quick Response (QR) code of the said project in the said advertisement.
2. The Promoter, inspite of receiving the show cause notice dated 22/08/2023, failed to show cause the same within the stipulated time-period mentioned in the show cause notice.
3. 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.
4. However, the Promoter failed to appear, even though the notice of hearing and the link for the hearing was duly served upon the Promoter.

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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. 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.*

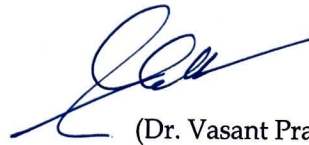
*"MahaRERA Order No. 46A/2023 with effect from 01.08.2023, Promoter shall prominently display the QR code on each and every real estate project promotion/advertisement published in the mediums, in the manner and at the place as more specifically mentioned in MahaRERA Order No. 46/2023 dated 29.05.2023."*

6. The Promoter, through its written submission dated 31<sup>st</sup> August 2023, stated that there had been no violation of the MahaRERA orders. The Promoter had asserted that the Channel Partners associated with Macrotech Developers were duly provided with the requisite details to be displayed on their respective websites in compliance of the Act and Orders issued by the Authority.
7. The Promoter had further submitted that they had thoroughly investigated the charges of advertising their project both internally within their marketing and advertising team and among their Channel Partners especially with Homesfy Realty Limited and it was observed that no such advertisement without the display of the QR code was came to be found.
8. Upon considering the written submission of the Promoter, the Promoter's Channel Partner "Homesfy Realty Limited," was issued a show cause notice for not mentioning the QR code in the said advertisement published on the said website. In

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accordance with the same, hearing was conducted on 13<sup>th</sup> October 2023 and a penalty of Rs. 50,000/- was imposed upon the Channel Partner for being in contravention of Order No. 46B/2023 dated 21<sup>st</sup> August 2023 read with Order No. 46/2023 dated 29<sup>th</sup> May 2023.

9. 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.
10. Therefore, in the present case, the Promoter, herein referred to as **Macrotech Developers Limited**, had not engaged in the dissemination of any advertisement on a website namely <https://www.homesfyrealty.com/lodha-mulund/>.
11. Consequently, **Macrotech Developers Limited** 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