

**SUO MOTU ADVERTISEMENT  
CASE NO. 103 OF 2023**

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

**SUO MOTU ADVERTISEMENT CASE NO. 103 OF 2023**

MahaRERA on its Own Motion

.... Complainant

Versus

Zanjeera Builders Pvt. Ltd.

.... Respondent/Promoter

**MahaRERA Project Registration No. - Unregistered with MahaRERA**

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

Adv. Salman Shaikh 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 29/08/2023 to the Promoter above named for issuing an advertisement in Punya Nagari Newspaper dated 15/08/2023 in respect of their real estate project "Zanjeera Green Hills," situated at Mira Road without registering the said project with MahaRERA Authority.
2. The Promoter, inspite of receiving the show cause notice dated 29/08/2023, failed to show cause the same within the stipulated time period mentioned in the show cause notice.
3. In the preceding hearing, dated 14/09/2023, the Promoter had submitted that they had applied for MahaRERA registration, but the registration had still not been granted. The Promoter had asserted that till date they haven't received any consideration in regard to the said project.
4. Upon considering the submissions of the Promoter, the Promoter was thereby directed to submit the MahaRERA registration application number with a period of 7 days from the date of hearing.

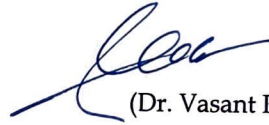
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5. The Promoter, through its written submission dated 20/09/2023, stated that they intended to have the said project registered with MahaRERA. However, there had been certain delays in procuring few documents which were essential for the purpose of registration and therefore consequently the said project could not be registered with MahaRERA. The Promoter further stated that the mistake was unintentional and that there was no oblique motive to cheat or defraud any buyer. The Promoter also asserted that till date no token/advance money has been received from any potential buyer nor have executed any agreement for sale in respect of the said project.
6. In this regard, a hearing was scheduled on 24/11/2023 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.
7. During the aforementioned proceedings, the Promoter, in accordance with directions issued in the preceding hearing dated 14/09/2023, submitted its MahaRERA registration application number. The said application number was REA99000148573.
8. In this regard, it is necessary to peruse the provisions of Section 3 of the RERA which reads as under:

*"3. No Promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment, or building, as the case may be, in any real estate project or part of it, in any planning area, without registering the real estate project with the Real Estate Regulatory Authority established under this Act."*
9. An interpretation of Section 3 reveals that the Promoter is legally obligated to refrain from engaging in activities such as advertising, marketing, booking, selling, or inviting individuals to purchase any plot, apartment, or building unless the real estate project in question has been duly registered with MahaRERA.

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10. In the present case, it has been established that the Promoter had issued an advertisement in Punya Nagari Newspaper dated 15/08/2023 without fulfilling the requisite registration process with MahaRERA for the advertised project.
11. However, in accordance with the directions issued during hearing, the Promoter has made an application to the MahaRERA Authority for the purpose of registering the said project.
12. In view of the above, the present case stands disposed of.



(Dr. Vasant Prabhu)

**Secretary, MahaRERA**