

**SUO MOTU ADVERTISEMENT
CASE NO. 134 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 134 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Adhik Mahajan

(Channel Partner of Raymond Limited)

.... Respondent/Promoter

Agent Registration No. A51700001096

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

None appeared for the Respondent.

ORDER

24th November 2023

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 27.10.2023 to the Respondent above named for issuing an advertisement in Loksatta and Maharashtra Times Newspapers dated 29.07.2023 and 31.07.2023 respectively, in respect of Raymond Limited's real estate project, "**The Address by GS Tower C**" registered with MahaRERA under project registration no. P51700052008, situated at Thane without mentioning the MahaRERA project registration number of the said project in the said advertisement.
2. The Respondent, through its written submission, stated that the said advertisement published without mentioning the MahaRERA project registration number was issued inadvertently and without the Respondent's knowledge by his newly appointed staff.
3. 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 could appear through its representative and make its submissions.

**SUO MOTU ADVERTISEMENT
CASE NO. 134 OF 2023**

4. During the aforementioned proceedings, the Promoter, failed to appear even though the notice of hearing and the link for the hearing was duly served upon the Promoter.
5. In this regard, it is necessary to peruse the provisions of Section 9(5) of the RERA and Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017 which reads as under:

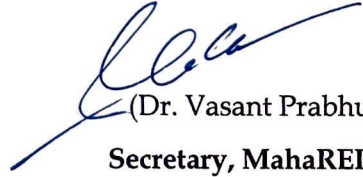
“9(5) Every real estate agent who is registered as per the provisions of this Act or the rules and regulations made thereunder, shall be granted a registration number by the Authority, which shall be quoted by the real estate agent in every sale facilitated by him under this Act.”

“14(2) Every registered real estate agent shall quote his number of their registration in all the documents relating to advertisement, marketing, selling or purchase issued by the real estate agent along with the number of registration certificate of the real estate project.”
6. From the plain reading of the above-mentioned sections, the real estate agent is under obligation to mention the agent registration number along with the project registration number in the advertisements issued by it.
7. In the present case, the Respondent had published advertisements in Loksatta and Maharashtra Times Newspapers. However, the Respondent failed to publish the MahaRERA agent registration number and project registration number in the said advertisements. Hence the Respondent is in contravention of Section 9(5) of RERA and Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017.
8. Consequently, it is evident that the Respondent is in contravention of Section 9(5) of the Real Estate (Regulation and Development) Act and Rule 14(2) of the

**SUO MOTU ADVERTISEMENT
CASE NO. 134 OF 2023**

Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017.

9. In view of the above a penalty of Rs. 50,000/- is imposed upon the Respondent under Section 62 of the RERA for violation of Section 9(5) and Rule 14(2).
10. The said penalty shall be payable by the Respondent within a period of 15 days from the date of this order, failing which a further penalty of Rs. 1,000/- per day would be imposed till compliance.
11. 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.
12. In view of the above, the present case stands disposed of.


(Dr. Vasant Prabhu)
Secretary, MahaRERA