

**SUO MOTU ADVERTISEMENT  
CASE NO. 117 OF 2024**

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

**SUO MOTU ADVERTISEMENT CASE NO. 117 OF 2024**

MahaRERA on its Own Motion

.... Complainant

Versus

Gajanan Khabale

....Promoter/ Respondent

**MahaRERA Project Registration No. P52000050795**

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

CA Sumit a/w Mr. Sandip Chaudhari for the Promoter/ Respondent.

**ORDER**

14<sup>th</sup> August 2024

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 06.05.2024 to the Promoter above named for issuing an advertisement on the Instagram platform dated 30.12.2023 in respect of their real estate project "Jai Malhar Apartment Phase II" situated at Panvel, Raigarh, without mentioning the MahaRERA Project Registration Number and without incorporating the Quick Response (QR) Code of the said real estate project in the said advertisement.
2. The Promoter, inspite of having received the show cause notice dated 06.05.2024, failed to show cause to the same within the stipulated time period.
3. In the preceding hearing dated 30.05.2024, the Promoter submitted that the said advertisement in question did not belong to them. Additionally, they mentioned that they are investigating the matter.
4. Upon considering the submissions of the Promoter, the Promoter was thereby directed to take stringent action against the offender and furnish a comprehensive report in the said matter along with supporting documents within a period of 7 days from the date of hearing.

**SUO MOTU ADVERTISEMENT  
CASE NO. 117 OF 2024**

5. In this regard, a hearing was scheduled on 26.07.2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Promoter can appear through its representatives and make its submissions.
6. During the aforementioned hearing, the Promoter submitted that the said advertisement in question was disseminated by a recently appointed employee of the affiliated Channel Partner, without obtaining the requisite approval of the Channel Partner.
7. The affiliated Channel Partner, Mr. Sandip Chaudhari was present during the aforementioned hearing and formally acknowledged the lapse and accepted responsibility for the said violations in its entirety. Consequently, the affiliated Channel Partner shall bear the liability of the imposed penalty.
8. In this regard, it is necessary to peruse the provisions of 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; MahaRERA Order No. 46/2023 read with MahaRERA Order No. 46B/2023, which reads as under:

*"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."*

*"MahaRERA Order No. 46B/2023 Real estate agents shall prominently display QR code on each and every real estate promotion/ advertisement published in the mediums as more specifically listed in MahaRERA Order No. 46/2023 dated 29.05.2023."*

*"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*



**SUO MOTU ADVERTISEMENT  
CASE NO. 117 OF 2024**

*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."*

9. Notwithstanding the circumstances of the present case, it has been established that the affiliated Channel Partner of the Promoter had published an advertisement on the Instagram platform dated 30.12.2023. Further, the affiliated Channel Partner had failed to incorporate the Project Registration Number and the QR Code within the aforementioned advertisement.
10. Henceforth, it becomes manifestly clear that the affiliated Channel Partner stands in violation of 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, in conjunction with MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46B/2023 dated 21.08.2023.
11. In view of the above a penalty of Rs. 10,000/- is imposed upon the affiliated Channel Partner under Sections 65 of the RERA for violation of the provisions of Rule 14(2) of the Act and for violation of MahaRERA Order No. 46/2023 dated 29.05.2023 read with MahaRERA Order No. 46B/2023 dated 21.08.2023.
12. 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.

**SUO MOTU ADVERTISEMENT  
CASE NO. 117 OF 2024**

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



Dr. Vasant Prabhu  
Secretary, MahaRERA