

**SUO MOTU ADVERTISEMENT
CASE NO. 02 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 02 OF 2023

MahaRERA on its own Motion

.... Complainant

Versus

Nabhraj Builders & Developers Pvt. Ltd. Respondent/ Promoter

**MahaRERA Project Registration Nos. P51500032020,
P51500047311 and P51500049264**

Coram: Dr Vasant Prabhu, Secretary, MahaRERA

Mr. Aakash Butole appeared for the respondent/ promoter.

ORDER

18th April 2023

(Through Video Conferencing)

1. The MahaRERA authority had issued a show cause notice dated 08/03/2023 to the promoter above named for publishing an advertisement dated 05/03/2023, in the Lokmat Newspaper, without mentioning the MahaRERA project registration numbers, in regard to the projects "**Nabhraj Trilok Heights, Nabhraj Trimurti and Nabhraj Nikunj**" bearing MahaRERA registration nos. **P51500032020, P51500047311 and P51500049264 respectively**, situated at Aurangabad.
2. The promoter by its reply dated 13/03/2023, to the said show cause notice dated 08/03/2023, had submitted that the said advertisement was published by the Expo Organiser and that it was the first time the MahaRERA registration number was missing in the advertisement.

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3. In this regard, a hearing was scheduled on 17/04/2023 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, when the promoter appeared through its representative and made its submissions.
4. During the hearing, the promoter submitted that the complementary advertisement was published by the Lokmat newspaper, being the Expo Organiser. However, the MahaRERA registration number was not mentioned in the said advertisement inadvertently. The promoter further submitted that it has mentioned the MahaRERA registration in advertisements in the Times of India newspaper published after the above mentioned advertisement.
5. 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."
6. From the plain reading of the section 11(2), the promoter is under obligation to mention prominently, the registration number of the project in the advertisements or the prospectus issued by it. However, in the present case, the promoter has published a half page advertisement in the Lokmat newspaper dated 05/03/2023. Further, the promoter has failed to publish the MahaRERA registration numbers in the said advertisement dated 05/03/2023 issued by it in the Lokmat newspaper. Hence, the promoter is in violation of section

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11(2) of RERA.

7. In view of the above a penalty of Rs. 50,000/- under section 61 of the RERA, is imposed upon the promoter for violation of section 11(2).
8. The said penalty shall be payable by the promoter 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.
9. The Technical and Finance Department of the MahaRERA authority shall verify the payment of the said penalty before processing any applications viz. extension, correction, change of name etc., with respect to the said project.
10. With the above directions, the present case stands disposed of.

(Dr Vasant Prabhu)

Secretary, MahaRERA