

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
CORAM : SHRI JAYANT B. DANDEGAONKAR, DY. SECRETARY, PUNE**

Video Conferencing Hearing as per MahaRERA Order No.593/2023

SUO MOTU ADVERTISEMENT PUNE CASE NO. 77 OF 2025

MahaRERA on its own Motion

... Complainant

Versus

**DREAMSHELTER DEVELOPERS LLP
(FORMERLY KNOWN AS
DREAMSHELTER DEVELOPERS PVT.LTD.)**

... Respondent-Promoter

**NAME OF THE PROJECT – DREAM SHELTER PHASE 4.
Maharera Real Estate Project Registration No. P51600052324**

Appearance :- Mr. Vikas Lathi, Accountant for Respondent-Promoter

ORDER

**2nd JULY, 2025
(Through Video Conferencing)**

1. The Advertising Standards Council of India (ASCI) as a part of its 'Suo-Motu' surveillance, has picked the advertisement published of the project in question from "Instagram", which does not contain **MahaRERA Website Address** and the same is considered to be prima facie in contravention of Real Estate (Regulation & Development) Act, 2016 (RERA). ASCI has therefore, issued **intimation letter, dated 06.01.2025** to the respondent-promoter and directed the respondent to ensure that the said advertisement has to be modified or withdrawn no later than **January 15, 2025**.
2. Since the respondent has not complied with the directions issued by the ASCI vide aforesaid intimation letter, the ASCI has referred the matter to MahaRERA, Pune for initiating the suo-motu complaint/proceeding against the respondent for disposal according to law.

3. In pursuance of the powers delegated under Section 81 of the RERA to the undersigned by the MahaRERA Authority vide Office Order No. MahaRERA/Secy/DoP/Advertisement/41/2025, dated 16.01.2025, show cause notice was issued to the respondent-promoter calling upon him as to why penal action should not be taken against him.
4. The respondent-promoter in response to the said show cause notice, filed his say dated 14.05.2025. It has been contended by the respondent-promoter that the impugned advertisement has been withdrawn and formal communication to this effect was also submitted via email dated 07.03.2025. It is submitted on behalf of respondent-promoter that in view of his prompt compliance, the proceeding be dropped.
5. Perused the impugned advertisement. It does not contain MahaRERA website address, as mandated under Section 11(2) of the RERA. Section 11(2) of RERA is reproduced hereunder.

"Section 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. Heard Mr. Vikas Lathi, A.R. for the Respondent-Promoter. He reiterated the contentions raised out by the respondent in his say. He argued that the impugned advertisement was withdrawn promptly and communication was made to that effect on 07.03.2025 through email. He prayed to drop the proceeding against the respondent-promoter.
7. The email dated 07.03.2025 sent by the respondent-promoter to ASCI has been filed on record. According to the said email, the respondent-

promoter has informed the ASCI that he has withdrawn the impugned advertisement and requested confirmation of closure of this complaint.

8. By the intimation letter, dated 06.01.2025 ASCI has given direction to the respondent-promoter to modify or withdraw the impugned advertisement no later than January 15, 2025. Therefore, though the respondent-promoter through email dated 07.03.2025 has communicated to the ASCI that the impugned advertisement has been withdrawn, it cannot be said that it was withdrawn within the timeline given by the ASCI. Had the respondent-promoter has withdrawn the impugned advertisement on or before January 15, 2025, ASCI would not have intimated this office for the non-compliance on the part of respondent-promoter. Moreover, the respondent-promoter has not produced on record to show that he has withdrawn the impugned advertisement within the timeline given by ASCI. Therefore, there is no substance in the contention of the respondent-promoter that he has promptly complied the guidelines issued by ASCI.
9. Considering the advertisement on record, evidence produced in the case, and the aforesaid legal provision, this Authority is of the opinion that the impugned advertisement published without containing MahaRERA website address clearly manifests that there is violation of the provision of Section 11(2) of the RERA on the part of the respondent-promoter. Therefore, I have no hesitation to invoke the penal provision under Section 61 of RERA in the present case.
10. Penalty of Rs.10,000/- under Section 61 of the Act, 2016 has been imposed against the respondent-promoter for violation of Section 11(2) of the RERA Act, 2016.
11. The aforestated penalty shall be payable by the respondent within 15 days from the date of enforcing penalty, failing which respondent shall be liable to penalty of Rs.1000/- per day, in addition, till the compliance.

12. The Technical and Finance Department of the MahaRERA Authority shall verify the payment of the said penalty before processing any applications by promoter for extension, corrections, change of name etc., with respect to the said project.
13. Thus in the light of aforesaid facts, documents on record and the legal provision, the present matter is disposed off accordingly.



(JAYANT B. DANDEGAONKAR)
DEPUTY SECRETARY
MahaRERA, PUNE