

**SUO MOTU ADVERTISEMENT
CASE NO. 03 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 03 OF 2023

MahaRERA on its own Motion

.... Complainant

Versus

Poorva Developers

.... Respondent/ Promoter

MahaRERA Project Registration No. P51500049623

Coram: Dr Vasant Prabhu, Secretary, MahaRERA

Mr. Abhijit Devkate appeared for the respondent/ promoter.

ORDER

18th April 2023

(Through Video Conferencing)

1. The MahaRERA authority had issued a show cause notice dated 20/03/2023 to the promoter above named for publishing an advertisement dated 17/03/2023, in the Sakaal Newspaper, without mentioning the MahaRERA project registration number, in regard to the project "**Prem Jeet Residency**" bearing MahaRERA registration no. **P51500049623**, situated at Aurangabad.
2. The promoter by its reply via email dated 03/04/2023, to the said show cause notice dated 20/03/2023, had submitted that the MahaRERA registration number was not mentioned in the advertisement inadvertently.
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.

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4. During the hearing, the promoter submitted that since this was the 1st advertisement of this project, the MahaRERA registration number was not mentioned due to an oversight.
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 Sakaal newspaper dated 17/03/2023. Further, the promoter has failed to publish the MahaRERA registration number in the said advertisement dated 17/03/2023 issued by it in the Sakaal newspaper. Hence, the promoter is in violation of section 11(2) of RERA.
7. In view of the above a penalty of Rs. 25,000/- 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

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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