

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
CORAM : Shri. JAYANT B. DANDEGAONKAR, DEPUTY SECRETARY, PUNE

SUO MOTU ADVERTISEMENT/PUNE CASE NO. 65 OF 2025

MahaRERA on its own Motion ... **Complainant**

Versus

DUVILLE ESTATES PRIVATE LIMITED ... **Respondent-Promoter**

NAME OF THE PROJECT – RIVERDALE GROVE.
Maharera Real Estate Project Registration No. P52100029023

Appearance :- Adv. Omkra Phulmamdikar & C.S. Amit Soni
for Respondent-Promoter

ORDER

22nd MAY, 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 23.12.2024** to the respondent-promoter and directed the respondent to ensure that the said advertisement has to be modified or withdrawn no later than **January 03, 2025**.
3. 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.
4. 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.

5. The respondent-promoter in response to the said show cause notice, filed his say, dated NIL and received to this office on 22.05.2025. The respondent has contended that the its marketing team inadvertently forgotten to mention the website address and it was just an unintentional oversight rather than a willful violation.
6. Perused the impugned advertisement. It does not contain MahaRERA website address, as mandated under Section 11(2) of the RERA, which 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.”

7. Heard Adv. Omkar Phulmamdikar on behalf of respondent-promoter. He has reiterated the contentions raised out by the respondent in his say. Adv. Omkar Phulmamdikar has submitted that the Instagram advertisement was inadvertently published by the marketing team of the respondent-promoter.
8. The impugned advertisement apparently shows that it does not contain MahaRERA website address as mandated under the provision of Section 11(2) of the RERA. According to respondent, it was not intentional and willful violation. Such contention cannot be helpful to the respondent-promoter to discard the charges leveled against him. Moreover, Adv. Phulmamdikar for respondent-promoter has fairly submitted during the course of hearing that the impugned advertisement was published inadvertently on Instagram. It is thus crystal clear that the impugned advertisement was not containing MahaRERA website address, and it definitely violates the provision of Section 11(2) of the RERA.

9. In view of the aforesaid facts and circumstances, this is a fit case to invoke the provision of Section 61 of the RERA for violation of provision of Section 11(2) of the Act.
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 aforesaid 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 stands disposed off accordingly.

(JAYANT B. DANDEGAONKAR)
DEPUTY SECRETARY
MahaRERA, PUNE