

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY

CORAM : SHRI JAYANT B. DANDEGAONKAR, DY. SECRETARY, PUNE

SUO MOTU ADVERTISEMENT/PUNE CASE NO. 48 OF 2025

MahaRERA on its own Motion Complainant

Versus

SUVIK BULDCON LLP Respondent

NAME OF THE PROJECT : "SUVIK ASPIRE"

MahaRERA Project Registration No.P51600053648

Appearance :- Absent

ORDER

21ST 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 06.12.2024** to the respondent-promoter and directed the respondent to ensure that the said advertisement has to be modified or withdrawn no later than **December 17, 2024**.
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 did not respond to the show cause notice issued and failed to file his reply. Notice of hearing was given to the respondent however, the respondent failed to appear on the hearing scheduled on 13.03.2025, 17.04.2025 and even on today. Sufficient opportunity of being heard was given to the respondent, but respondent failed to appear and defend the case.
5. 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."

6. Considering the advertisement on record, it has been established that the impugned advertisement was not containing MahaRERA website address, which definitely is in violation of the provision of Section 11(2) of the RERA. Therefore, this is a fit case to invoke penal provision under Section 61 of the RERA.
07. 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.

08. 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.
09. 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.
10. 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