

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

**SUO MOTU ADVERTISEMENT/
PUNE CASE NO.14 OF 2023**

MahaRERA on its own Motion Complainant

Versus

Audumbar Homes LLP Respondent

MahaRERA Project Registration No.P52100031396

Coram: Shri.F.D.Jadhav, Dy.Secretary-Cum-Head
Krishna K Bhatt appeared for the respondent / promoter.

ORDER

18th May, 2023

(Through Video Conferencing)

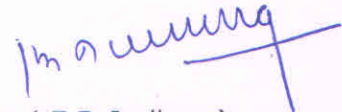
1. Maharashtra Real Estate Regulatory Authority has delegated certain powers on me on dated 26-04-2023 under Section-81 of the Real Estate (R & D) Act, 2016 (hereinafter called as "Act 2016"). The said powers, inter alia, contains imposing of penalty under Section-59 of the Act, 2016 for contravention of the provision of Section-3 by the promoter and to impose penalty under Section-61 of the Act for contravention of Section 11(2) of the Act etc. In exercise of the said powers delegated to me under Section 81 of the Act, 2016 notices were served to the parties, heard the parties and thereafter matter is disposed of.
2. The MahaRERA Authority had issued a show cause notice dated 11-04-2023 to the promoter above named for publishing an advertisement in the 'Facebook' without mentioning the MahaRERA Registration number, in regards to the project "Marigold Calendula" Baner, Pune, bearing MahaRERA Registration No.P52100031396 situated at Baner, Pune.

**SUO MOTU ADVERTISEMENT/
PUNE CASE NO.14 OF 2023**

3. The promoter in his say dated 18-04-2023 has submitted that while uploading the advertisement of the said project due to cropping the original image MahaRERA registration number was deleted by mistake. In view of this mistake he submitted that, they have deleted the said advertisement from their 'Facebook' page.
4. In this regard hearing was scheduled on 18-05-2023 through Video Conferencing as per the MahaRERA Circular No.27/2023 and MahaRERA Order No.593/2023 wherein the promoter appeared through his representative and made his submissions.
5. During the hearing, the CRM Shri.Krishna K Bhatt reiterated his mistake and assured that they will not upload any advertisement without MahaRERA registration number.
6. At this juncture, it is necessary to go through the provision of Section 11(2) of the aforesaid Act, 2016 which reads as under:
Sec.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. On careful perusal of the Section 11(2), it appears that it is imperative on the part of the promoter to mention the MahaRERA Registration number of the project in the advertisement issued by him. According to the promoter while uploading the advertisement of the said project, due to cropping the original image of the project MahaRERA registration number was deleted by mistake. Considering the admission of the promoter in regards to the advertisement without MahaRERA registration number it is crystal clear that the promoter has violated the provision of Section 11(2) of the Act, 2016.
8. In view of the above the penalty of Rs.10,000/- under Section 61 of the Act, 2016 is imposed upon the promoter for violation of Section 11(2) of the Act, 2016.

**SUO MOTU ADVERTISEMENT/
PUNE CASE NO.14 OF 2023**

9. The said penalty shall be payable by the promoter within 15 days from the date of this order, failing which a further penalty of Rs.1,000/- per day is imposed upon the promoter till the realization of entire amount.
10. The Technical and the Finance Department of the MahaRERA Authority shall verify the payment of the said penalty before processing any applications viz. extension, corrections, change of name etc., with respect to the said project.
11. In view of the above, the present case stands disposed of.



(F.D.Jadhav)
Dy.Secretary-Cum-Head,
MahaRERA, Pune