

**SUO MOTU ADVERTISEMENT
CASE NO. 145 OF 2023**

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

SUO MOTU ADVERTISEMENT CASE NO. 145 OF 2023

MahaRERA on its Own Motion

.... Complainant

Versus

Samrajya Realty

.... Respondent/ Promoter

MahaRERA Project Registration No. – Unregistered Project

MahaRERA Agent Registration No. – A51700007092

Coram: Dr. Vasant Prabhu, Secretary, MahaRERA

None appeared on behalf of the Respondent / Promoter.

ORDER

06th March 2024

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 27.10.2023 to the Respondent above named for publishing an advertisement in Maharashtra Times Newspaper dated 07.10.2023 in respect of their real estate project situated at Vashi, Navi Mumbai without registering the said project with MahaRERA Authority.
2. The Respondent, inspite receiving the show cause notice dated 27.10.2023, failed to show cause to the same within the stipulated time period in the said show cause notice.
3. In the preceding hearing dated 28.11.2023, the Respondent failed to appear even though the notice of hearing and the link for the hearing was duly served upon the Respondent.
4. In this regard, a second hearing was scheduled on 06.03.2024 through video conferencing as per the MahaRERA Circular No. 27/2020 and MahaRERA Order No. 593/2023, wherein the Respondent could have appeared through its representative and made its submissions.

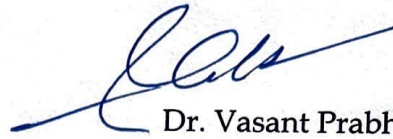
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5. However, during the course of the aforementioned hearing, the Respondent once again failed to appear even though the notice of hearing and the link for the hearing was duly served upon the Respondent.
6. In this regard, it is necessary to peruse the provisions of Section 10(a) of the RERA which reads as under:

"10(a). Not facilitate the sale or purchase of any plot, apartment or building, as the case may be, in a real estate project or part of it, being sold by the Promoter in any planning area, which is not registered with the Authority."
7. An interpretation of Section 10(a) reveals that the MahaRERA registered agent is legally obligated not to facilitate sale or purchase of any plot, apartment or building in a real estate project or part of it, being sold by the Promoter, which is not registered with the MahaRERA Authority.
8. In the present case, it has been established that the Respondent had published an advertisement in Maharashtra Times Newspaper dated 07.10.2023, wherein the said project advertised was not registered with MahaRERA Authority.
9. Therefore, it is hereby directed that a written communication be sent to CIDCO noting that no additional authorisation be granted for the said project until such time as the aforementioned project has been duly registered with MahaRERA Authority. Moreover, it is directed that the Registration and Stamp Office shall be instructed to abstain from registering any sale agreements within the said project, until such time as the project is duly registered with MahaRERA Authority, in accordance with the stipulations outlined in the said Act.

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10. With the above directions, the present case stands disposed of.



Dr. Vasant Prabhu
Secretary, MahaRERA