

**SUO MOTU ADVERTISEMENT  
CASE NO. 35 OF 2024**

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

**SUO MOTU ADVERTISEMENT CASE NO. 35 OF 2024**

MahaRERA on its Own Motion

.... Complainant

Versus

Homesphere Advisory LLP

.... Respondent/Promoter

**Agent Registration No. A51800022450**

**Coram: Dr. Vasant Prabhu, Secretary, MahaRERA**

Mr. Nitin Hira appeared for the Respondent.

**ORDER**

06<sup>th</sup> March 2024

(Through Video Conferencing)

1. The MahaRERA Authority had issued a show cause notice dated 23.02.2024 to the Respondent above named for publishing an advertisement on pamphlet issued through Mid-Day Newspaper dated 30.01.2024 in respect of their real estate project, situated at Malad West without incorporating the MahaRERA project registration number and QR code of the said project in the said advertisement.
2. The Respondent, inspite of having received the show cause notice dated 23.02.2024 failed to show cause to the same within stipulated time period mentioned in the notice.
3. In this regard, a 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 can appear through its representative and make its submissions.
4. During the aforementioned proceedings, the Respondent asserted that in the said advertisement in question, no specific project was promoted. The said advertisement was issued to promote their newly opened office in Evershine Nagar,

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Malad West and to generate rental and resale leads of Evershine Nagar.

5. In this regard, it is necessary to peruse the provisions of Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017; MahaRERA Order No. 46B/2023 dated 21.08.2023 read with MahaRERA Order No. 46/2023 dated 29.05.2023 which reads as under:

*"14(2) Every registered real estate agent shall quote his number of their registration in all the documents relating to advertisement, marketing, selling or purchase issued by the real estate agent along with the number of registration certificate of the real estate project."*

*"MahaRERA Order No. 46B/2023 Real estate agents shall prominently display QR code on each and every real estate promotion/advertisement published in the mediums as more specifically listed in MahaRERA Order No. 46/2023 dated 29.05.2023."*

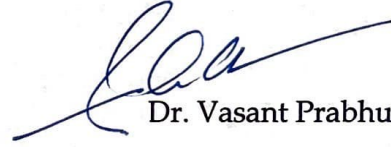
*"MahaRERA Order No. 46/2023 The Promoter shall prominently display QR code on each and every project promotion/advertisement published after 01.08.2023. The QR Code must be published in a manner that is legible, readable, and detectable with software application. The QR code must be published besides the MahaRERA registration number and the website address. The mandate as mentioned above shall apply to the mediums of promotion/advertisement and in any other medium as may be directed by the Authority."*

6. From the plain reading of the above-mentioned sections and orders, the real estate agent is under obligation to mention the agent registration number along with the project registration number in the advertisements issued by it and also to incorporate the QR code of the registered project into any promotions or advertisements.
7. In the present case, the Respondent had published an advertisement in a pamphlet distributed through the Mid-Day Newspaper dated 30.01.2024. While the Respondent mentioned the agent registration number, the project registration

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number and QR code were not incorporated in the said advertisement, as the advertisement did not pertain to a specific project promotion. The advertisement aimed to promote their newly opened office and generate rental and resale leads.

8. Consequently, it is evident that the Respondent is not in contravention of provisions of Rule 14(2) of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules, 2017 in conjunction with MahaRERA Order No. 46B/2023 dated 21.08.2023 read along with MahaRERA Order No. 46/2023 dated 29.05.2023.
9. In view of the above, the present case stands disposed of.



Dr. Vasant Prabhu

**Secretary, MahaRERA**