BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY, MUMBAI

SUO MOTU ADVERTISEMENT COMPLAINT NO. SM12600280

MahaRERA on its Own Motion …. Complainant

Versus

ARIHANT SUPERSTRUCTURES LIMITED …. Respondent/Promoter

MahaRERA Project Registration No.: P51700077377

Project Name: ARIHANT AVANTI.

MahaRERA Project Registration No. P51700077377

Coram: Sudhakar Deshmukh, Director Complaint Management, MahaRERA

(As per power Delegation Order of the Authority dated 12.08.2025)

Adv. Vishal Janbindu appeared for the Promoter / Respondent.

ORDER

11th June, 2026

(Through Hybrid Mode as per MahaRERA Circular No.: 49/2025)

1. FACTS OF THE CASE:

a) The Maharashtra Real Estate Regulatory Authority (MahaRERA) filed this Suo Motu Complaint on April 27, 2026, against the Promoter, ARIHANT SUPERSTRUCTURES LIMITED, for an alleged violation of mandatory advertisement disclosure norms.

b) The violation arose from an advertisement made on a poster pertaining to real estate project " ARIHANT AVANTI " registered with MahaRERA under registration number P51700077377.

c) It was observed that the advertisement contained two primary violations:

I. It did not mention the Quick Response (QR) code of the registered project in the required size as per guidelines given in Order no. 46C/2025.

II. The advertisement does not mention registered project no. P51700077377 in the poster as per guidelines given in Order no. 46C/2025.

d) In the hearing dated June 04, 2026, the representative for the Promoter/Respondent appeared and the matter was reserved for order.

2. SUBMISSIONS OF RESPONDENT

a) The Respondent submits that the non-compliance relating to the display of the MahaRERA Registration Number in the prescribed size and specifications was inadvertent and occurred due to an oversight during publication of the advertisement.

b) The Respondent states that there was no intention to violate the provisions of the Act or the directions issued by MahaRERA and has tendered an unconditional apology for the lapse.

c) Upon becoming aware of the issue, the Respondent immediately discontinued the impugned advertisement and undertook corrective measures to ensure compliance with MahaRERA Orders.

d) The Respondent submits that the project is duly registered, no misleading information was disseminated, and no prejudice was caused to prospective allottees.

e) In view of the bona fide nature of the lapse and the corrective action taken, the Respondent has prayed that a lenient view be taken and the lapse be condoned.

3. LEGAL FRAMEWORK AND PROVISIONS

a) The Authority, exercising powers under Section 11(2) of the Real Estate (Regulation and Development) Act, 2016, (the Act) mandates that any advertisement or prospectus issued or published by a promoter shall prominently display the website address of the Authority and include the

registration number obtained from the Authority, along with such other matters as may be incidental thereto.

b) The Authority's direction for mandatory QR code disclosure stems from:

i. MahaRERA Order No. 46/2023 (dated 29.05.2023): Mandated the prominent display of a legible, readable, and detectable QR Code next to the MahaRERA Registration Number and Website Address in all advertisements published after August 1, 2023.

ii. MahaRERA Order No. 46A/2023 (dated 25.07.2023): Reiterated the effective date of August 1, 2023, and specified that failure to comply shall be construed as a violation, subject to penalty under Section 63 of the Act.

iii. MahaRERA Order No. 46C/2025 (dated 08.04.2025): Reiterated the effective date of August 1, 2023, and specified the directions issued by the Authority in MahaRERA Order Nos. 46/2023, 46A/2023 and 46B/2023 dated 29.05.2023, 25.07.2023 and 21.08.2023 respectively and specified that failure to comply shall be construed as a violation, subject to penalty under Section 63 and/or 65 of the Act.

4. FINDINGS AND CONCLUSION :-

a) It is observed that the impugned advertisement pertaining to the project "ARIHANT AVANTI" (MahaRERA Reg. No. P51700077377) did not display the MahaRERA Registration Number and QR Code in the manner prescribed under MahaRERA Order Nos. 46/2023, 46A/2023 and 46C/2025.

b) The Respondent has admitted the lapse and attributed the same to an inadvertent oversight. However, compliance with the advertisement disclosure requirements is mandatory, and the responsibility to ensure such compliance rests upon the Promoter.

c) The subsequent corrective action and discontinuation of the advertisement do not extinguish the violation already committed. Further, absence of malafide

intent cannot be a ground to condone non-compliance with statutory requirements.

d) Accordingly, the Authority holds that the Respondent has violated Section 11(2) of the Real Estate (Regulation and Development) Act, 2016 read with MahaRERA Order Nos. 46/2023, 46A/2023 and 46C/2025 and is liable for penalty under Section 63 of the Act.

5. In view of the established violations of the Authority's Orders and the principles of transparency under the Act, the following directions are issued:

a) Penalty of Rs. 25,000/- (Rupees Twenty-five Thousand Only) is hereby imposed upon the Promoter for the violations referred to hereinabove.

b) The said penalty shall be payable by the Promoter within a period of fifteen (15) days from the date of enforcement of this Order.

c) In the event of failure to pay the penalty within the stipulated period, the penalty amount shall stand doubled.

d) If the Promoter fails to pay the applicable penalty amount even after three (3) months from the date of this Order, the Authority shall be at liberty to initiate further legal action in accordance with the provisions of the Real Estate (Regulation and Development) Act, 2016 and the rules and regulations framed thereunder, without any further notice.

e) The Technical and Finance Departments of the MahaRERA Authority are mandated to authenticate the payment of the penalty prior to initiating the processing of any applications, including but not limited to extensions, corrections, and change of name, pertaining to the concerned project.

f) In view of the above, the present complaint stands disposed of.

SUDHAKAR VISHNU DESHMUKH
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Date: 2026.06.11 20:01:48 +05'30'

(Sudhakar Deshmukh)

Director (Complaint Management) MahaRERA