

**BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,
MUMBAI
SUO MOTU ADVERTISEMENT COMPLAINT NO. SM12600561**

MahaRERA on its Own Motion

.... Complainant

Versus

Borivali Kesar Kripa CHS LTD

.... Respondent/Promoter

MahaRERA Project Registration No.: P51800053824

Project Name: BORIVALI KESAR KRIPA CHS LTD.

**MahaRERA Project Registration No. P51800053824
Coram: Harivijay Shinde, Director Complaint Management, MahaRERA
(As per power Delegation Order of the Authority dated 12.08.2025)**

None appeared for the Promoter/ Respondent.

ORDER

29th September, 2026

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

1. FACTS OF THE CASE:

- a) The Maharashtra Real Estate Regulatory Authority (MahaRERA) initiated this Suo Motu Complaint on August 13, 2026, against the Promoter, BORIVALI KESAR KRIPA CHS LTD, for an alleged violation of mandatory advertisement disclosure norms.
- b) The violation arose from an advertisement on the poster pertaining to real estate project "BORIVALI KESAR KRIPA CHS LTD" registered with MahaRERA under registration number P51800053824.
- c) It was observed that the advertisement contained two primary violations:

- I. It did not display 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 mentions the registered project number P51800053824; however, the same has not been displayed in the manner prescribed under Order No. 46C/2025.
- d) In the hearing dated September 22, 2026, the representative for the Promoter/Respondent appeared and the matter was reserved for order.

2. 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.

3. FINDINGS AND CONCLUSION :-

- a) The Authority has considered the material available on record. Despite the opportunity of multiple hearings, no one appeared on behalf of the Respondent. Accordingly, the matter is being proceeded with and decided ex parte based on the material available on record.
 - b) It is observed from the impugned poster pertaining to the project “BORIVALI KESAR KRIPA CHS LTD” bearing MahaRERA Registration No. P51800053824 that the MahaRERA Registration Number was not displayed and the QR Code was not provided in the prescribed size as required under Order No. 46C/2025.
 - c) The Respondent has neither appeared nor placed any submission or material on record to rebut or explain the aforesaid non-compliances. Accordingly, the violations remain unrebutted and stand established based on the material available on record.
 - d) The failure to prominently display the MahaRERA Registration Number and the QR Code in the prescribed manner constitutes non-compliance with Section 11(2) of the Act read with MahaRERA Orders No. 46/2023, 46A/2023 and 46C/2025.
 - e) In view of the established violations and the absence of any explanation or mitigating circumstances from the Respondent, the Respondent is liable for imposition of penalty under Section 63 of the Act.
 - f) Accordingly, the present Suo Motu Complaint is liable to be allowed and appropriate penalty under Section 63 of the Act is warranted against the Respondent for the aforesaid violations.
4. 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) 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.

- c) 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.
- d) In view of the above, the present complaint stands disposed of.

HARIVIJAY
GANPATRA
O SHINDE

Digitally signed by
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GANPATRAO SHINDE
Date: 2026.09.29
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(Harivijay Shinde)

Director (Complaint Management) MahaRERA