

BEFORE THE MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY  
MUMBAI

Secretary, Maharashtra Real Estate Regulatory Authority ... Complainant

Versus

M/s. Wisteria Real Vision Pvt. Ltd.  
MahaRERA Regn. no. A52100003089 ... Respondent

**Coram:** Shri. Gautam Chatterjee, Chairperson, MahaRERA


ORDER  
(September 04, 2019)

1. This is a Suo-moto matter taken up by MahaRERA, when it has come to the notice that the Respondent having MahaRERA agent registration no. A52100003089, has facilitated the sale of apartments in real estate projects spread over 100-acre township in Haveli, Pune, by advertisements on social media websites, without mentioning any MahaRERA registration details.
2. The material placed before MahaRERA, prima facie shows that the Respondent has facilitated sale of apartments in real estate projects which are not registered with MahaRERA, thereby violating section 10 (a) of the Real Estate (Regulation and Development) Act, 2016 (hereinafter referred to as the *said Act*).
3. In view of the above, MahaRERA has decided to take Suo-moto cognizance in exercise of its powers conferred upon it by section 35 of the said Act, and a notice to the Respondent was issued to appear before the Authority and explain his stand in the matter.
4. In pursuance of the notice issued, the Respondent appeared before the Authority on August 27, 2019 and thereafter on September 04, 2019. Hon'ble Chairperson of the



Authority has explained the contravention alleged to have been committed by the Respondent.

5. The Respondent has been given full opportunity to defend by following the principles of natural justice.
6. The Respondent has admitted to certain facts which are put on record. He submitted to inadvertently having shared the details of the said real estate projects by circulating advertisements to prospective customers by advertising, prior to its MahaRERA registration. He further tendered an unconditional apology and assured that he will not solicit, misguide or engage in such facilitation of advertisements or sale, going forward.
7. The Hon'ble Chairperson has heard the Respondent. He accepted that the alleged violations of the provisions of the Act are totally inadvertent and he did not have any intention to show non - compliance towards the provisions of the Act or Rules or Regulations made there under. The Respondent has submitted an affidavit dated August 29, 2019, that such a violation or the Act would not happen in the future and he will strictly comply with the provisions of the Act, Rules, Regulations and Orders / Circulars issued there under.
8. It is in these circumstances after giving full hearing, the Authority, therefore, holds that the Respondent has violated provisions of 10 (a) of the Real Estate (Regulation and Development) Act, 2016. Therefore, in exercise of the powers conferred by Section 62 of the Act, Respondent is directed to pay a penalty of Rs. 80,000/- (Rupees Eighty thousand only) for eight days of violation, starting from August 21, 2019 till August 28, 2019, and he is further warned to not repeat such violation in future.
9. The suo- moto matter accordingly stands disposed of.

  
(Gautam Chatterjee)  
Chairperson, MahaRERA