



REAL ESTATE

MahaRERA Implements Hybrid Mode for Hearings

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Introduction

In a progressive move towards greater accessibility and efficiency, the Maharashtra Real Estate Regulatory Authority (MahaRERA) has issued Circular No. 49/2025, dated September 12, 2025, introducing a Standard Operating Procedure (SOP) for conducting hearings through a hybrid mode. This initiative follows the directions of the Hon'ble Bombay High Court in Writ Petition (L) No. 11502 of 2025, which mandated the implementation of hybrid hearings for complaints and non-compliance applications filed under the Real Estate (Regulation and Development) Act, 2016 (RERA).

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Background

The RERA Act, 2016 was enacted to ensure transparency, accountability, and protection of consumer interests in the real estate sector. Under Section 31 of the Act, any aggrieved person can file a complaint before MahaRERA for contraventions of the Act, Rules, or Regulations. Additionally, Section 38(2) empowers the Authority to regulate its own procedure, subject to the principles of natural justice.

In light of technological advancements and the need for efficient adjudication mechanisms, the Bombay High Court, in its Judgment dated July 24, 2025, and subsequent order dated September 4, 2025, directed the adoption of a hybrid mechanism for hearings and mentioning of matters for urgent listing, circulation, and production. Accordingly, MahaRERA has issued this new Circular, superseding Circular No. 48 dated August 11, 2025.

Key Highlights of Circular No. 49/2025

1. Continuation of Online Filing System

Under Rule 6(1) of the Maharashtra Real Estate (Regulation and Development) (Recovery of Interest, Penalty, Compensation, Fine Payable, Forms of Complaints and Appeal, etc.) Rules, 2017, the existing web-based filing system for complaints, non-compliance applications, replies, rejoinders, and written submissions will continue.

2. Daily Online Cause List

MahaRERA will continue publishing a daily online cause list of complaints and non-compliance applications, along with pronouncements of orders, before the respective Benches.

3. Fixed Hearing Dates and Roznama

The existing system of assigning fixed hearing dates and recording adjournments in the roznama will remain unchanged. Each adjournment will be accompanied by a newly fixed date, recorded officially.

4. Adoption of Hybrid Hearings

All Benches of MahaRERA will now conduct hearings in a hybrid mode, allowing physical as well as virtual appearances. Parties or their legal representatives may opt for either mode at their convenience.

5. Hybrid Hearings for Praecipes and Urgent Applications

Applications and praecipes seeking urgent listing, execution of non-compliance orders, circulation, or production will also be heard and disposed of through the hybrid system.

6. Virtual and Physical Mentioning of Matters

MahaRERA will permit mentioning of matters both complaints and non-compliance applications either physically or virtually at the beginning and end of each session of the concerned Bench.

7. Disclosure of Bench Locations

The daily cause list will specify the sitting locations of all MahaRERA Benches to aid in planning and participation.

8. Maintenance of Register for Praecipes

Each Bench will maintain a register of all praecipes submitted for circulation, production, or urgent listing, ensuring transparency and tracking.

9. Recording in Roznama

All decisions on praecipes or applications will be duly recorded in the roznama and made accessible to parties through their MahaRERA login portals.

10. Orders with Timestamp

To enhance authenticity and recordkeeping, all orders passed by the Benches will now bear a timestamp and date and will continue to be available on the official MahaRERA website.

11. Technological Enhancements

MahaRERA's online complaint module will undergo necessary software modifications, followed by testing and implementation, to support the hybrid hearing framework.

12. Supersession Clause

This Circular overrides any prior MahaRERA orders or circulars that are inconsistent with the provisions herein, specifically regarding hybrid hearings and mentioning procedures.

Conclusion

The implementation of hybrid hearings under Circular No. 49/2025 marks a significant stride toward digital transformation and procedural efficiency in real estate dispute resolution. By integrating both physical and virtual appearances, MahaRERA aims to ensure broader accessibility, convenience, and adherence to the principles of natural justice.

The Circular has come into immediate effect from the date of its issuance, i.e., September 12, 2025.

Related Practice Areas

Real Estate