

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL NOTICE OF MOTION NO.608 OF 2017
IN
COMMERCIAL IP SUIT NO.691 OF 2017**

Royal Inn Private Limited

....Applicant/Plaintiff

V/s.

New Royal Inn Hotel

....Defendant

Mr. Shekhar Bhagat i/b. MAG Legal for plaintiff.

Mr. Akash Acharya a/w. Mr. Neeraj Jha i/b. Aghinotri and Jha Associates for defendant.

CORAM : K.R.SHRIRAM, J.

DATED : 17th FEBRUARY 2021

P.C. :

1 Mr. Acharya, counsel appearing for defendant states that defendant has stopped using the name “Hotel Royal Inn” since November 2017 and has also changed the name of defendant’s hotel from “*M/s. New Royal Inn*” to “*M/s. Royal Onix*”. Mr. Acharya relies on the affidavit of one Abdul Jaleel Abdul Kadar affirmed on 20th September 2018 and also submits that even the new name “M/s. Royal Onix” has been registered with the Municipal Corporation of Greater Mumbai under the Maharashtra Shops and Establishment Act 1948. To the affidavit in reply are also annexed photographs of the name board of defendant’s hotel confirming the name to be hotel “Royal Onix”. Mr. Acharya states that defendant shall not use the name “Hotel Royal Inn”. Statement accepted.

2 In view of the statement made, Mr. Bhagat, counsel for plaintiff states that the notice of motion as well as suit be disposed.

3 Accordingly suit as well as notice of motion stand disposed. Refund, if any, of court fees in accordance with rules.

4 I have to note that from the photographs annexed to the affidavit in reply, I am not sure whether there are permissions granted by the Bombay Municipal Corporation for the said construction.

5 The Municipal Commissioner of Greater Mumbai is directed to investigate on the permissions granted for the Hotel Royal Onix and take such steps in accordance with law if the permissions are not in place.

6 Registry to forward a copy of this order to the Municipal Commissioner of Brihanmumbai Mahanagarpalika.

(K.R. SHRIRAM, J.)

Gauri A.
Gaekwad

Digitally
signed by
Gauri A.
Gaekwad
Date:
2021.02.20
12:05:39
+0530