

BEFORE THE
MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
MUMBAI

COMPLAINT NO: CC006000000057271

Nirlon Ltd	...	Complainant
Versus		
Shivam Parivar Developers Pvt. Ltd. MahaRERA Regn. No. P51800011447	...	Respondent

Corum: Shri. Gautam Chatterjee, Chairperson, MahaRERA

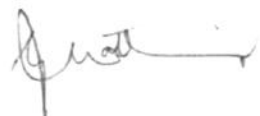
Complainant was represented by Mr. Jasmin Bhavsar, Auhtorised representative a/w Mr. Rahul Kedar, Adv.; Ms. Rukshana Millwalla, Adv. and Ms. Kusum Salokhe, Adv. (i/b M/s. Matubhai Jamietram & Associates).

Respondent did not appear.

Order

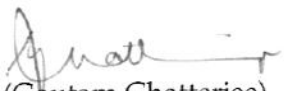
June 24, 2019

1. The complainant, has stated that the Respondent has published an advertisement in the Times of India on December 8, 2018 wherein the Respondent has advertised for sale of Project under construction in the form of re-development in the name of "NIRLON" next to Citi Centre, Opposite Sadguru Hotel, S.V. Road, Goregaon (West), Mumbai 400 104. They have alleged that the Respondent has used the "limited trade mark, "NIRLON" (hereinafter referred to as the *Mark*), "which is deceptive to the general public. Therefore, they prayed the Respondent be directed to recall all publicity materials issued through any/all mediums; cause notices in the newspapers recording and confirming the non-association of the Respondent with the Complainant and/or the said Mark; carry out all corrections / amendments to the application and other filings pertaining to the registration of the project.
2. The learned counsel for the Complainant submitted that the Respondent has changed the project name to "Redevelopment of Nirlon Soc building no 11 12 and 13" after the



filing of the present complaint. The learned counsel for the Complainant has submitted an application dated May 27, 2019 stating that the present complaint be disposed off by directing the Respondents to put a disclaimer in all their advertising materials whether online/offline interalia stating that the Respondent's project "Nirlon" is not affiliated with the Complainant (Nirlon Ltd) in any manner whatsoever.

3. In view of the above, the Respondent is directed to upload a disclosure in their registration and any/all marketing materials stating that the said project is not affiliated with the Complainant (Nirlon Ltd) in any manner whatsoever.
4. Consequently, the matter is hereby disposed of.


(Gautam Chatterjee)
Chairperson, MahaRERA