



IN THE HIGH COURT OF KARNATAKA AT BENGALURU  
DATED THIS THE 17<sup>TH</sup> DAY OF DECEMBER 2019  
BEFORE  
THE HON'BLE MR. JUSTICE S. SUNIL DUTT YADAV  
WRIT PETITION NO. 51723 / 2019 (LB-BMP)

27792/19  
Poovayya & Co.,

PETITIONERS:

1. RETAILERS ASSOCIATION OF INDIA  
A COMPANY WITHIN THE MEANING OF COMPANIES  
ACT 2013 HAVING ITS REGISTERED OFFICE AT 111/112  
ASCOT CENTRE, SAHAR ROAD, SAHAR ANDHERI (EAST)  
MUMBAI, REP BY ITS AUTHORIZED SIGNATORY,  
AKSHAY KALE, AGED ABOUT 32 YEARS  
AND 23 OTHERS

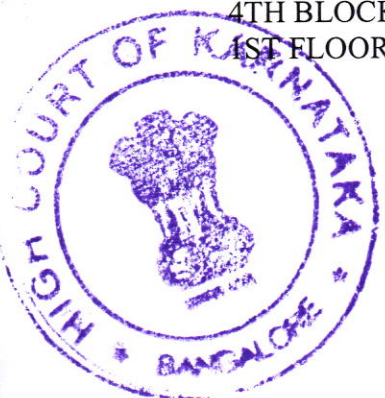
By Sri. SANJANTHI SAJAN POOVAYYA, ADV.,

Vs

RESPONDENTS:

- 1 . BRUHATH BENGALURU MAHANAGARA PALIKE  
THROUGH ITS COMMISSIONER , HAVING ITS OFFICE AT  
NARASIMHARAJA SQUARE BANGALORE – 560002.
  
- 2 . UNDER SECRETARY TO GOVERNMENT  
URBAN DEVELOPMENT DEPARTMENT, (URBAN DEVELOPMENT  
AUTHORITIES AND TOWN PLANNING MATTERS) ROOM NO 428,  
4TH FLOOR VIKASA SOUDHA BENGALURU - 560001
  
- 3 . MEDICAL OFFICER OF HEALTH  
BRUHAT BENGALURU MAHANAGARA PALIKE, HAVING ITS  
OFFICE AT BTM ZONE BBMP BUILDING, 16TH MAIN ROAD,  
OPPOSITE TO CHAMUNDESWARI TEMPLE BTM 2ND STAGE  
BENGALURU - 560076
  
- 4 . MEDICAL OFFICER OF HEALTH  
BRUHAT BENGALURU MAHANAGARA PALIKE,  
VIJAYANAGAR ZONE, HAVING ITS OFFICE AT 1ST MAIN  
MANAVANA VIJAYANAGAR, BENGALURU - 560040
  
- 5 . MEDICAL OFFICER OF HEALTH  
BRUHAT BENGALURU MAHANAGARA PALIKE,  
MALLESHWARAM ZONE, HAVING ITS OFFICE AT  
BBMP BUILDING , 5TH CROSS, KUVEMPU ROAD,  
MALLESHWARAM
  
- 6 . MEDICAL OFFICER OF HEALTH  
BRUHAT BENGALURU MAHANAGARA PALIKE,  
JAYANAGAR ZONE, HAVING ITS OFFICE AT JAYANAGAR  
4TH BLOCK, JAYANAGAR COMMERCIAL COMPLEX  
1ST FLOOR, BENGALURU – 560011.

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7 . MEDICAL OFFICER OF HEALTH  
BRUHAT BENGALURU MAHANAGARA PALIKE,  
SARVAGYANAGAR ZONE, HAVING ITS OFFICE AT  
SARVAGYANAGAR COX TOWN, BENGALURU - 560005

AGA FOR R2, SRI. S.N. PRASAD, ADV., FOR R1, R3, R4 TO R7

COPY OF THE CAUSE TITLE ENCLOSED SEPARATELY

Whereas, a Writ Petition filed by the above named Petitioner under Article 226 & 227 of the Constitution of India, has been registered by this Court.

After hearing, the Court made the following

**: ORDER :**

(COPY OF THE ORDER DATED 17.12.2019 IS ENCLOSED SEPARATELY)

SB



BEFORE THE HON'BLE HIGH COURT OF KARNATAKA, AT  
BENGALURU

ORIGINAL JURISDICTION

W.P. No. 51723 / 2019 (LB-BMP)

BETWEEN:

1. **Retailers Association of India,**  
A Company within the meaning of Companies Act, 2013  
Having its registered office at  
111/112, Ascot Centre,  
Sahar Road, Sahar,  
Andheri (East)  
Mumbai-400099  
Represented by its authorized signatory  
Akshay Kale, aged about 32 years. ✓
2. **Aditya Birla Fashion and Retail Limited,**  
A Company within the meaning of Companies Act, 2013  
Having its registered office at  
701-704, 7TH Floor,  
Skyline Icon Business Park,  
86-92 off A.K. Road,  
Marol Village,  
Andheri East,  
Mumbai- 400059  
  
Also having its office at  
Kh. No. 118/110/1 Divyasree Technopolis,  
Building- 2, Yemlur Post,  
off HAL Airport Road,  
Bengaluru- 560 0 37  
Represented by its  
authorised signatory  
Jyothi.V.K, aged about 42 years. ✓
3. **Titan Company Limited**  
A Company within the meaning of Companies Act, 2013  
Having its registered office at  
#3, SIPCOT Industrial Complex,  
Hosur, Tamil Nadu 635 129  
  
Also having its office at  
No. 193, Veerasandra, Electronic City Post,  
Off Hosur Road, Bengaluru 560 100



Represented by its  
Senior Manager Legal,  
Ramesh Bhat K, aged about 42 years.

4. **Rhea Retail Private Limited**

A company within the meaning of Companies Act, 2013  
Having its registered office at  
4<sup>th</sup> floor, Court House,  
Lokmanya Tilak Marg, Dhobi Talao,  
Mumbai - 400 002

Also having office at:  
No. 74/2, S S Plaza,  
Other Ring Road, Jay bheema Nagar,  
BTM 1<sup>st</sup> stage, Bengaluru 560 068  
Represented by its  
authorized signatory  
G N Gopala, aged about 56 years.

5. **Mountain Trail Foods Private Limited**

A company within the meaning of Companies Act, 2013  
Having its registered office at  
Umiya Emporium 1, 2nd Floor, Opposite Big Bazaar,  
Bengaluru, Karnataka 560 029  
Represented by its  
Authorized signatory  
Amuleek Singh Bijral, aged about 36 years.

6. **Apsara Ice Creams LLP**

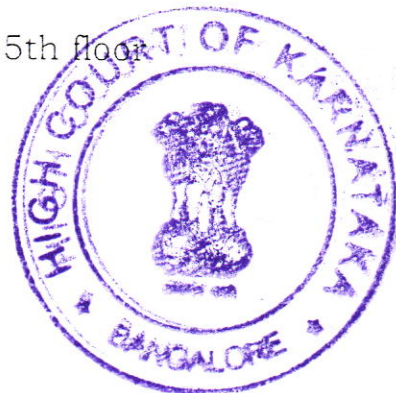
A company within the meaning of Companies Act, 2013  
Having its registered office at  
100/1B, 2nd Main Road, 10th Cross Rd, Indira Nagar 1st  
Stage, Bengaluru, Karnataka 560038  
Represented by its  
Authorized Signatory  
Keyur Shah, aged about 34 years.

7. **Kamath Ourtimes Ice Creams Private Limited**

A company within the meaning of Companies Act, 2013  
Having its registered office at  
55abcd, Kandivali Industrial Estate, Charkop Gaon,  
Kandivali, Mumbai, Maharashtra  
Represented by its  
Director  
Girish Ramnath Pai, aged about 50 years.



8. **Nature Baskets Limited**  
A company within the meaning of Companies Act, 2013  
Having its registered office at  
2nd Floor, Spencer Building, 30 Forjett Street,  
Grant Road (West), Mumbai – 400036  
Represented by its  
Authorized Signatory  
K Adil, aged about 41 years.
9. **Trent Limited**  
A company within the meaning of Companies Act, 2013  
Having its registered office at  
GE-O, Sunrise Chambers,  
22 Ulsoor Road Bengaluru 560 042  
Represented by its  
Authorized Signatory  
Jahan Chokshi, aged about 30 years.
10. **H & M Hennes & Mauritz Retail Limited**  
A company within the meaning of Companies Act, 2013  
Having its registered office at  
Trinity circle, MG Road,  
Bhaskaran Rd, Someshwarpura,  
Halasuru, Bengaluru 560008  
Represented by its  
Authorized Signatory  
Anuja Rustagi, aged about 41 years.
11. **Adidas India Marketing Private Limited**  
A company within the meaning of Companies Act, 2013  
Having its registered office at  
Office No. 6, 2nd Floor, Sector B, Pocket No. 7,  
Plot No. 11, Vasant Kunj  
New Delhi 110070  
Represented by its  
Authorized Signatory  
Vivek Tyagi, aged about 41 years.
12. **Levi Strauss (India) Private Limited**  
A company within the meaning of Companies Act, 2013  
Having its registered office at  
ITC Green Centre, No.18, 4th & 5th floor  
Banaswadi Main Road,  
Maruthiseva Nagar  
Bangalore 560 005  
Represented by its



Authorized Signatory  
Arunkumar Nath, aged about 46 years.

13. **Arvind Lifestyles Brands Limited**

No.17, 10<sup>th</sup> Floor, Du Parc Trinity,  
MG Road, Bangalore 560001  
Represented by its  
Authorized Signatory  
Manikandan, aged about 42 years.

14. **Global Clothing Private Limited**

A company within the meaning of Companies Act, 2013  
Having its registered office at  
No.106/138 Nagawara Main Road,  
Kasaba Hobli, Bengaluru 560045  
Represented by its  
Authorized Signatory  
K Saravanan, aged about 57 years.

15. **Infiniti Retail Limited**

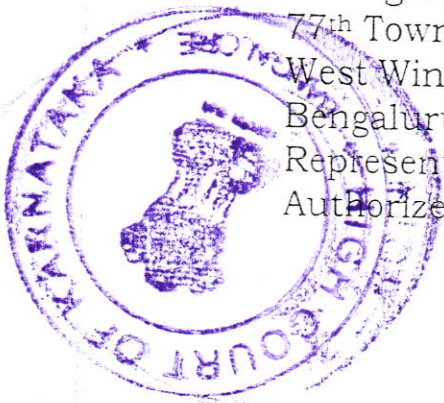
A company within the meaning of Companies Act, 2013  
Having its registered office at  
Unit No. 701 & 702, Wing A, 7th Floor,  
Kaledonia, Sahar Road,  
Andheri East  
Mumbai 400069  
Represented by its  
Authorized Signatory  
A P K Chettiar, aged about 54 years.

16. **Forever New Apparels Private Limited**

A company within the meaning of Companies Act, 2013  
Having its registered office at  
B-304, New Friends Colony,  
New Delhi 110065  
Represented by its  
Authorized Signatory  
Dhruv Bogra, aged about 51 years.

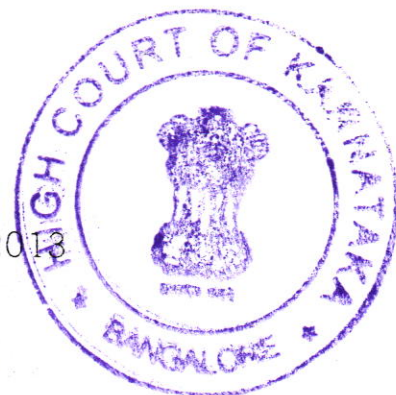
17. **Lifestyle International Private Limited**

A company within the meaning of Companies Act, 2013  
Having its registered office at  
77<sup>th</sup> Town Center, Building No.3,  
West Wing, Off HAL Airport Road, Yelmur P O  
Bengaluru - 560 037  
Represented by its  
Authorized Signatory



Ramaprasad S, aged about 53 years.

18. **Sapphire Foods India Private Limited**  
A company within the meaning of Companies Act, 2013  
Having its registered office at  
702, Prism Tower, A Wing,  
MindSpace, Link Road, Goregaon (West),  
Mumbai 400 062  
Represented by its  
Authorized Signatory  
Niraj Patil, aged about 41 years.
19. **Future Retail Limited**  
A company within the meaning of Companies Act, 2013  
Having its registered office at  
Knowledge House, Shyam Nagar,  
Off. Jogeshwari- Vikhroli Link Road,  
Jogeshwari (E),  
Mumbai 400060  
Represented by its  
Authorized Signatory  
Rajesh Kumar Gupta, aged about 46 years.
20. **Metro Brands Limited**  
A company within the meaning of Companies Act, 2013  
Having its registered office at  
401, Zillion, 4<sup>th</sup> Floor,  
LBS Marg & CST Road Junction,  
Kurla (West), Mumbai 400 070  
Represented by its  
Authorized Signatory  
JaiPrakash J Desai, aged about 36 years
21. **Hardcastle Restaurants Private Limited**  
A company within the meaning of Companies Act, 2013  
Having its registered office at  
1001-1002, 10th Floor, Tower 3, Indiabulls Finance Centre,  
Senapati Bapat Marg, Mumbai MH 400013 IN  
Represented by its  
Authorized Signatory  
Vinesh Shanbhag aged about 40 years
22. **Shoppers Stop Private Limited**  
A company within the meaning of Companies Act, 2013  
Having its registered office at  
Umang Tower, 5<sup>th</sup> Floor, MindSpace,  
Off. Link Road, Malad (West)



Mumbai 400 064  
Represented by its  
Authorized Signatory  
Rajeev Chhabra aged about 42 years

23. **Vedant Fashions Private Limited**

A company within the meaning of Companies Act, 2013  
Having its registered office at  
Paridhan Garment Park 19 Canal South Road,  
SDF-1,4th Floor,  
A501-A502 Kolkata 700 015  
Represented by its  
Authorized Signatory  
Navin Pareek aged about 38 years

24. **Raymond Limited**

A company within the meaning of Companies Act, 2013  
Having its registered office at  
Plot No 156/H No.2  
village Zadgaon  
Ratnagiri 415 612  
Represented by its  
Authorized Signatory  
Gautam Rohidekar aged about 31 years

...PETITIONERS

Sawelli A S  
Assistant Registrar 18/12/19  
High Court of Karnataka  
Bengaluru - 560 001

18/12  
18/12/19





**SSDYJ:**  
17.12.2019

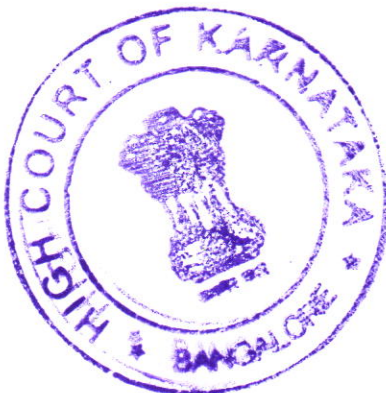
**W.P.No.51723/2019**

**ORDER**

The petitioners have challenged the circulars dated 22.07.2017, 30.07.2018, 02.11.2019 at Annexures-'A' to 'C' respectively, order dated 19.10.2019 at Annexure-'D', notice dated 31.10.2019 at Annexure-'E' and also the notices at Annexures-'F' to 'H'.

It is contended that on an earlier occasion, the petitioners had challenged the circulars issued by the respondent - Bruhat Bengaluru Mahanagara Palike (BBMP) stipulating the dimension of Kannada lettering and English lettering in the name boards.

Attention is drawn to the affidavit filed by respondent - BBMP in Writ Petition Nos.40652-40653/2018 (LB-BMP) wherein, the respondent - BBMP had undertaken not to take any precipitative action in



furthurance of circulars which are challenged in the present writ petition.

Taking note of the said affidavit, this Court had disposed off Writ Petition Nos.40652-40653/2018, reserving liberty to the petitioners to seek for similar relief, if cause of action arises subsequently.

The petitioners state that once again the respondent - BBMP referring to the earlier circular dated 22.07.2017 and is seeking to compel the petitioners to adhere to the new circulars which are identical to the circular dated 22.07.2017, which were subject matter of earlier writ petitions in which BBMP had undertaken not to take any precipitative action pursuant to the impugned circular.

The learned counsel appearing for respondent - BBMP seeks time to obtain instructions and make submissions.



In light of the order passed and undertaking made in Writ Petition Nos.40652-40653/2018, the respondent-BBMP is restrained from taking action pursuant to the circulars dated 22.07.2017, 30.07.2018, 02.11.2019 at Annexures-'A' to 'C' respectively, order dated 19.10.2019 at Annexure-'D', notice dated 31.10.2019 at Annexure-'E' and also the notices at Annexures-'F' to 'H'. However, it is made clear that this interim order enures to the benefit of the petitioners in this writ petition.

List the matter after winter vacation, 2019.

Sd/-  
JUDGE

COPY

VGR

Sawant A S 18/12/19

Assistant Registrar

High Court of Karnataka  
Bengaluru - 560 001



18/12

The date on which the application was made 18/12/19

- b) The date on which charges and addl. charges. If any, are called for.....
- c) The date on which the charges and addl. charges. If any, are deposited.....
- d) The date on which the copy is ready 19/12/19
- e) The date of notifying that the copy is ready for delivery 19/12/19
- f) The date on which copy is delivered to the application 19/12/19

TRUE COPY

Section Officer  
High Court of Karnataka  
Bengaluru - 560 001