

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION (L) NO.1816 OF 2011**

Bombay Nursing Home Association and Ors. ....Petitioners  
versus

The Municipal Corporation of BrihanMumbai and Ors. .... Respondents

Mr.VA.Thorat, Senior Advocate i/by Hariani and Co., for the petitioners.  
Mr.N.V.Walawalkar, Senior Advocate with Ms.VS.Gharpure, for respondent  
Nos.1 to 4.

Mr.D.A.Nalawade, Govt. Pleader, with Mr.PG.Lad, AGP, for respondent Nos.  
5 and 6.

**CORAM: P.B.MAJMUDAR &  
R.M.SAVANT, JJ.**

**DATE: 19<sup>th</sup> SEPTEMBER, 2011**

**PC.**

1. The issue is in connection with the demand notice issued to the Nursing Homes in connection with the change of users. Mr.Walawalkar pointed out that the order of the Municipal Commissioner dated 03-08-2011, wherein it has been stated that as per the earlier order of this Court dated 24-06-2011, the applications for renewal of the Nursing Home/Maternity Homes/Clinics shall be considered independently of the demand notice which is already issued. He further submits that licences have already been renewed and individual cases shall be considered on its own merits and if required, fresh demand notices will be issued.

2. Mr.Thorat submits that there is an endorsement over the renewal order that it is subject to the compliance with the demand notice. In this connection, Mr.Walawalkar may take appropriate instructions by the next date.

3. Till the next date, ad-interim order regarding implementation of the demand notice to continue and the Corporation is directed not to take coercive steps only on the ground that the demand notice has not been complied with.

4. Stand over to 17-10-2011.

( R.M.SAVANT, J. )

( P.B.MAJMUDAR, J. )