

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2722 OF 2021
IN
WRIT PETITION NO.5067 OF 2021

Dr. Sushil Damu SakhareApplicant/Petitioner
V/S
Thane Municipal Commissioner & Anr.Respondents
...

Mr. Amresh Sharma and Mr. Suresh Chavan for the Applicant/Petitioner.
Mr. Chirag Shah a/w Mr. Raj Adhia, Ms. Kavita Dhanuka for Respondent
Nos.1 and 2-TMC.

...
**CORAM : A.A. SAYED &
S.G. DIGE, JJ.**
DATE : 6 OCTOBER 2021.

P.C.:

1 The Interim Application is filed seeking the following relief:

“(a) pending the renewal of the petitioner license, the Respondent Corporation be ordered to permit petitioner to conduct hospital business pending renewal of the license i.e. Form ‘C’.”

2 On 8 September 2021, while disposing of the Writ Petition we had passed the following order:

“1. Learned Counsel for the Petitioner and learned Counsel for the Respondent-Corporation are agreed to the following order being passed:

ORDER

(a) The Petitioner shall pay a sum of Rs.5,50,650/- to the Respondent-Corporation within two weeks from today;

(b) On payment of the said amount, the Respondent-Corporation shall renew the license of the Petitioner within two weeks from the date of the payment;

(c) The Respondent-Corporation shall ensure that the respective patients from whom the fees were overcharged shall be refunded to them within four weeks from the receipt of the aforesaid amount of Rs.5,50,650/-. The Petitioner shall co-operate in all respects including providing all necessary details of the patients.

2. The Petition is allowed in the aforesaid terms.”

3 Learned Counsel for the Respondent-Corporation states that the license i.e. ‘C-Form’ of the Petitioner to conduct the hospital business shall be renewed not later than 11 October 2021. We accept the statement as an Undertaking to this Court.

4 The Petitioner may carry out the preliminary work so as to conduct the hospital business from 11 October 2021. However, no new admissions of patients shall be accepted until the renewal of the license.

5 We record the statement of learned Counsel for the Applicant/ Petitioner that all particulars of the patients as mentioned in paragraph 1(c) of the order dated 8 September 2021 shall be provided to the Respondent-Corporation by 11 October 2021.

6 The Interim Application to stand disposed of.

(S.G. DIGE, J.)

(A.A. SAYED, J.)

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