

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

[COUNT ON US FAMILY SALOON VS. THE STATE OF
KARNATAKA AND OTHERS]

06.02.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The petitioner, who operates a saloon and holds license to function as a Spa, is aggrieved by the notice issued under the Provisions of the Karnataka Private Medical Establishments Act, 2007 [for short, '*the Act*']. Sri.B.B.Sagar, the learned counsel for the petitioner, submits that **[a]** the petitioner was offering "*laser treatment services*" in its premises as it would not be covered under the provisions of the Act but a notification is issued on 18.11.2025 stipulating that the establishments which offer different services would be subject to the provisions of the Act; **[b]** the petitioner has filed an application for license under the Act to continue with that procedure but the decision is awaited, **[c]** the section of the petitioner's premises, which is used for laser treatment, is under lock after the impugned notice.

Digitally
signed by
VANAMALA
N
Location:
HIGH
COURT OF
KARNATAKA

On the petitioner's request for interim order, the learned counsel submits that there is every likelihood of the second respondent proceeding to initiate prosecution against the petitioner for violation of the provisions of the Act and that would be arbitrary and unreasonable because the notification brings a retroactivity to the Act without reasonable opportunity to ensure that all the approvals are taken. The learned counsel emphasizes that when the amendment Act is notified, a window is allowed within which all permissions are made.

These submissions are considered, and this Court is of the view that the petitioner must desist from extending services which would be covered under the notification dated 18.11.2025 and the premises used for such services now closed must also remain so until there is express leave from this Court but there should be stay of any initiation of penal proceedings.

It is ordered accordingly, but stipulating that the petitioner shall file the response in terms of the notice dated 03.02.2026 calling upon the second respondent to consider

the same and place on record its stand by the next date of hearing. The petitioner will be at liberty to file such response within a week from today.

Mrs. Saritha Kulkarni, the learned Additional Government Advocate, is called upon to accept notice for the respondents and the registry is directed to furnish a copy of this order to the learned Additional Government Advocate.

The office is directed to re-list this petition on **05.03.2026.**

(B M SHYAM PRASAD)
JUDGE

SA
List No.: 2 Sl No.: 11