

ITEM NO.21

COURT NO.7

(OUT TODAY)
SECTION XS U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SWRIT PETITION (CIVIL) Diary No(s). 45541/2023

RAJVEER SINGH & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 01-11-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHAFor Petitioner(s) Mr. Gopal Sankaranarayanan, Sr. Adv.
Ms. Neha Rathi, Adv.
Mr. Pranav Sachdeva, Adv.
Ms. Swati Vaibhav, AOR
Ms. Shruti Vaibhav, Adv.
Mr. Kamal Kishore, Adv.
Ms. Kajal Giri, Adv.

For Respondent(s)

(For UOI) Ms. Aishwarya Bhati, ASG
(Respondent no.1) Mr. Rustam Chauhan, Adv.
Mr. Abhijeet Singh, Adv.
Ms. Ameya Vikram Thanvi, Adv.
Sthavi Asthana, Adv.
Mr. Anirudh Singh, Adv.(Respondent no.2) Ms. Monika Gusain, AOR
State of Haryana) C. Solomon, Adv.(Respondent no.3) Ms. Shyel Trehan, Adv.
(Hospital) Mr. Liz Mathew, AORUPON hearing the counsel the Court made the following
O R D E RThis petition was listed before us, based on the orders passed
by the Hon'ble Chief Justice of India due to the urgency which has

been indicated by the learned senior counsel for the petitioners.

We have requested the learned ASG to accept notice on behalf of respondent no.1- UOI. While Ms. Monika Gusain, learned advocate on record who was appearing through video conference, accepts notice on behalf of the respondent nos. 2 (State of Haryana) and Mr. Liz Mathew, learned Advocate on Record accepts notice on behalf of respondent no.3 (Hospital-Medanta).

Hence issue of formal notice to said respondents is dispensed.

While taking note of the prayer made in the instant petition, at the outset, we note that the petitioners or any other relative of petitioner no.1 has not filed an application before the Authorization Committee which is to function in terms of Rule 7 of the Transplantation of Human Organs Acts and Rules, 2014. Unless such consideration, at the outset, is made by the Committee, this Court would not be in a position to proceed further.

In that view of the matter, we permit the petitioners or any other authorised person on behalf of the petitioners to file necessary application along with the relevant enclosures with the Authorisation committee today i.e. 01st November, 2023 by 04:00 p.m.

Keeping in view the nature of the prayer, we request the Authorisation committee to assemble today itself and consider the application in accordance with law and furnish its report to enable this Court to proceed further in the matter.

We request the learned counsel for the respondent(s) to ensure such consideration by the Committee and place its report before this Court.

Taking into consideration the urgency involved in the matter,
list the matter on 02nd November, 2023 i.e. tommorrow.

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(MAMTA RAWAT)
COURT MASTER (NSH)