

ITEM NO.827

COURT NO.1

SECTION X

S 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 S

Writ Petition(s)(Civil) No(s). 763/2022

PARTHSARTHI BAJAJ  
THROUGH NAMRATA BAJAJ, MOTHER  
AND NATURAL GUARDIAN

Petitioner(s)

VERSUS

HEALTH SECRETARY &amp; ANR.

Respondent(s)

Date : 09-09-2022 This petition was Mentioned for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S. RAVINDRA BHAT  
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHAFor Petitioner(s) Mr. Bhushan M. Oza, Adv.  
Mr. Abhimanyu Kumar, Adv.  
Mr. Sushant Dogra, Adv.  
Mr. Seshatalpa Sai Bandaru, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Upon being mentioned, considering the urgency in the matter, the matter is taken on Board.

We have heard learned counsel for the petitioner.

According to the learned counsel, the father of the petitioner is in critical condition and the only way to save the life of the father is through organ donation.

It is further submitted that the petitioner(son) is willing to donate his liver to his critically ill father. However, in terms of the statute governing the issue, the donor has to be a major.

Our attention has also been invited to the representation dated 06.09.2022, addressed to the Health Secretary, Uttar Pradesh Government, seeking permission to allow the petitioner (son) to donate his liver to the father.

The instant petition has been filed on 8<sup>th</sup> September, 2022 itself.

Considering the urgency, we issue notice returnable on Monday, the 12<sup>th</sup> September, 2022.

*Dasti*, in addition, is permitted.

Liberty to serve the learned standing counsel for the State is granted.

The Registry shall independently send an appropriate communication to the learned standing counsel as well as the Health Secretary, Uttar Pradesh Government, Lucknow.

A responsible officer from the Health Department for the State of Uttar Pradesh shall remain present on Monday, the 12<sup>th</sup> September, 2022,

when the matter is taken up.

In the meantime, the petitioner may present himself before the concerned hospital, which may do preliminary tests whether he can be a donor and whether the donation of an organ in the present case would otherwise be feasible and permissible.

The matter shall be dealt with finally on 12<sup>th</sup> September, 2022.

(NEETU KHAJURIA)  
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)  
COURT MASTER