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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 10053/2017

RAM BABUSHAH

..... Petitioner

Through: Mr Abhijeet Bhagat, Advocate.

versus

ALL INDIA INSTITUTE OF MEDICAL
SCIENCE

..... Respondent

Through: Mr R.K. Gupta and Mr A.K. Singh,
Advocates for AIIMS.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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14.11.2017

CM No. 41020/2017

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondent hospital (AIIMS) to accept an organ donor (for a Kidney) other than a close relative of the petitioner. The petitioner asserts that he is in need of kidney transplantation but unfortunately the kidneys of his immediate relatives (who had volunteered to donate one of their kidneys) is not matching with the petitioner.
4. The petitioner is at liberty to locate a donor from his other relatives and friends who are willing to donate their kidneys for love and affection. Clearly, a trade in organs is not permissible. In the event the petitioner

locates such a donor, the petitioner would be at liberty to approach the Authorisation Committee for approval of the same. Needless to mention that in the event the petitioner approaches the Authorisation Committee, it shall consider the petitioners request in accordance with law and having regard to which the decision of this Court in ***Praveen Begum & Anr. v. Appellate Authority & Anr. (2012) 189 DLT 427.***

5. The petition is disposed with the aforesaid observations.

VIBHU BAKHRU, J

**NOVEMBER 14, 2017
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