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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
2019.10.30 18:02
I attest to the accuracy and
authenticity of this document

Date of decision : 30.10.2019

CWP-15590-2016 (O/M)
Ranjan Lakhanpal

..... Petitioner

Versus

Union of India and others

..... Respondents

CWP-10247-2016 (O/M)
Munisha Gandhi

..... Petitioner

Versus

Union of India

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJIV SHARMA
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Petitioner in person in CWP-15590-2016.

Miss Manveen Narang, Advocate
for petitioner in CWP-10247-2016.

Ms. Minkal Thatai, Advocate for
Mr. Arun Gosian, Senior Panel Counsel
for respondent-UOI.

Ms. Lavanya Paul, DAG Punjab in CWP-15590-2016.

Mr. Deepak Balyan, Addl. A.G. Haryana in CWP-15590-2016.

Mr. Amit Jhanji, Advocate
for respondent No. 5 in CWP-15590-2016.

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RAJIV SHARMA, J (ORAL)

Since common questions of law and facts are involved in the petitions, we have taken up both petitions together and dispose of them by common order.

Question of great public importance has been raised in these writ petitions for implementation of Organ Donation/Transplant under the Transplant of Human Organs and Tissues Act, 1994 (in short 'the Act') in letter and spirit.

The Court taking into consideration the sensitivity of the matter has requested the Post Graduate Institute of Medical Education and Research, Chandigarh (in short 'PGI Chandigarh') to submit its report for effective implementation of the Act. The first report was tendered by the PGI Chandigarh on 14.5.2019. The State of Punjab, the State of Haryana, the Union Territory, Chandigarh and Union of India were directed to file their respective response to the report. Only State of Punjab has chosen to file its response, as per order dated 16.5.2019. Neither the State of Haryana nor the Union Territory, Chandigarh and Union of India have chosen to file their respective response to the report dated 14.5.2019.

In the meantime, PGI Chandigarh has made detailed recommendations in Part A and Part B compilation dated 22.7.2019. The two reports dated 14.5.2019 and 22.7.2019 have been taken on record.

We appreciate the valuable assistance rendered by PGI Chandigarh by submitting two reports dated 14.5.2019 and 22.7.2019 in the larger public interest.

Accordingly, present petition is disposed of with directions to the State of Punjab, State of Haryana, Union Territory, Chandigarh and Union of India to implement the Act in letter and spirit by taking into consideration the recommendations made by PGI Chandigarh dated 14.5.2019 and 22.7.2019. The Chief Secretary to the State of Punjab, the Chief Secretary to the State of Haryana, the Advisor to Union Territory,

Chandigarh and Secretary Health to the Union of India shall forward copies of the recommendations made by PGI Chandigarh dated 14.5.2019 and 22.7.2019 to all the concerned quarters within a period of three weeks from today.

(RAJIV SHARMA)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

30.10.2019
sjks

Whether speaking order : Yes / No

Whether reportable : Yes / No