

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28355 of 2022

Rajib Kumar Dash

....

Petitioner(s)

Mr. D. Patnaik,
Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. S.P. Panda,
Addl. Govt. Adv. For O.Ps. 1 to 3
Mr. H.K. Tripathy,
Advocate for O.P.4

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
28.10.2022**

Order No.

- 01.
1. Difficulty arises in the matter of kidney transplantation for refusal by the Doctor to enter into the aspect of kidney transplantation involving a donor outside the Family.
 2. Learned counsel for Petitioner submits that in such situation though attempt is made to the concerned Committee, the Committee declines to entertain the application.
 3. Considering the submission of learned counsel for Petitioner and for the contingency involving the issue and looking to the difficulty arises in obtaining permission for kidney transplantation through outside donor, this Court is of the opinion that a decision of the Committee is very much essential. In the process this Court permits the Petitioner to make a complete approach to the concerned

Committee even including the Doctor's recommendation at least within a period of three days hence and in such event the Committee shall do well in taking a lawful decision on the kidney transplantation aspect involving the outside donor at least within a period of seven days thereafter and result of such exercise shall also be communicated to the Petitioner.

4. Writ Petition stands disposed of with the above direction.
5. Free copy of this order be handed over to the learned State Counsel for necessary communication to the competent authority.

(Biswanath Rath)
Judge

Ayaskanta Jena

