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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7103 OF 2024

Aditi Amod Ketkar ...Petitioner
Versus
Union of India & Ors. ...Respondents

Mr Bharat Manghani, for the Petitioner.
Mr A. K. Naik, AGP, for Respondent No.2-State.

**CORAM : N. R. BORKAR, &
SOMASEKHAR SUNDARESAN, JJ.**
DATE : 27 MAY 2024.
(VACATION COURT)

PC:-

1. Learned counsel for Respondent No.2 has tendered a report dated 24th May 2024, which is the report contemplated in the earlier order dated 15th May 2024 passed by the predecessor Division Bench holding Vacation Court.

2. Having perused the report, it is evident that the three-member medical panel has returned a finding that Mr. Prabhakar Patwardhan, aged 83, is in an unconscious state with minimal limb movements on painful stimuli. The report concludes that the said patient is mentally unfit to carry out any financial or legal transaction and that he is unlikely to recover from such condition. The Petitioner also

tendered a judgment by a Division Bench of this Court (*Rajni Hariom Sharma vs. Union of India & Another*, reported in 2020 SCC Online Bom 880), here the facet of whether the writ jurisdiction could be invoked for the Court appointing a guardian of a patient in vegetative state, has been considered in extensive detail. The said judgment also notes other judgments of other High Courts in this regard. The same is taken on record.

3. In that view of the matter, we find that the Petition may have to be finally disposed of upon consideration of the report, which we leave it to the regular bench to do, upon reopening.

4. Therefore, stand over to 11th June 2024 for final hearing and disposal by the regular bench.

(SOMASEKHAR SUNDARESAN, J)

(N.R. BORKAR, J.)