

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 5504 of 2025

**Bijoy Kumar Das & Anr.
-versus
The Union of India & Ors.**

**Mr. Atreya Chakraborty.
... For the Petitioner.**

**Mr. Sonal Sinha. A.G.P.
Ms. Ashmita Chakraborty.
...For State.**

1. The matter has appeared in the list under the heading 'To Be Mentioned' for correction of the order dated 16th May, 2025.

2. The first four lines of paragraph 2 of the order dated 16th May, 2025 shall be deleted and the same should read as the petitioners, as commissioning couple, intend to obtain the benefit under the Surrogacy (Regulation) Act, 2021.

3. The following shall be read after paragraph no. 3 of the said order. The petitioners rely on the order dated 20th February, 2025 passed by the Court in the matter of **WPA 24838 of 2024 (Soumen Sen & Anr. Vs. Union of India & Ors.)** wherein order was passed permitting the parties to avail the benefit under the Surrogacy (Regulation) Act, 2021.

4. Paragraph no. 6 of the order dated 16th May, 2025 stands deleted. The same should read as the petitioners would be entitled to avail the benefit under the Surrogacy (Regulation) Act, 2021 in the same manner as applied in the Assisted Reproductive Technology (Regulation) Act, 2021.

5. The order dated 16th May, 2025 is corrected accordingly. The remaining part of the said order will remain unaltered.

6. Let this order be read along with the order dated 16th May, 2025.

7. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)