

24-09-2025
Item No.10
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No. 20327 of 2025

Tanmay Dey & Anr.
-vs-
The State of West Bengal & Ors.

Mr. Subhasish Pachhal.
...for the petitioners.

Mr. Amman Arif Ansari. ...for the
State.

1. Affidavit-of-service filed in Court today is kept with the records.
2. The petitioners, as commissioning couple, intend to avail the benefit of the Assisted Reproductive Technology Service (ARTS).
3. Though the petitioner no. 2/wife is within the prescribed age limit, but the petitioner no. 1/husband has crossed the age limit for obtaining the benefit under the aforesaid provision of law.
4. Whether the petitioners will be able to avail the benefit under the aforesaid law has been decided by the Court vide judgment dated 22nd November, 2024 in the matter of **Shyamoli Saha & Anr. -Vs- The State of West Bengal & Ors.**
5. As the facts of the instant case appear to be similar to the facts in the matter of Shyamoli Saha (supra), accordingly, the direction passed in Shyamoli Saha shall cover the instant case.
6. The writ petition is disposed of by holding that the petitioners would be entitled to avail the

facility of ARTS. The clinic is directed to provide such facility to the petitioners.

7. The writ petition stands disposed of.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]