



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3186 OF 2025

Paritosh s/o. Manmohan Khanvilkar & Ors.

... Petitioners

Vs.

Union of India, through the Secretary,
Ministry of Social Justice and Empowerment & Ors.

... Respondents

Ms. Ayodha Patki a/w. Ashish Sonawane for the petitioner.

Ms. Savita A. Prabhune, AGP for the State.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATED: 2 April, 2025

P.C.

1. On the backdrop of our order passed on 19 March, 2025 directing the dean of Byramjee Jeejeebhoy (B.J.) Medical College and Sassoon General Hospital, Pune to appoint a Medical Board and awaiting the report of the Medical Board, the proceedings were taken up for hearing.

2. At the outset, learned counsel for the petitioner informed us that the senior citizen Mrs. Madura Manmohan Khanwilkar, who is ailing, was called upon to visit the B.J. Medical College and Sassoon General Hospital on 28 March, 2025. We are not only pained but quite shocked to note that Mrs. Madura Khanwilkar, who is in a bad state of health, was called to attend the Sassoon Hospital, which is stated to be almost 19.2 kms. Such discretion was not available either with the Dean of B.J. Medical College and Sassoon General Hospital or any of the doctors of the Medical Board to call the patient at the hospital, this more particularly considering our categorical orders that the Medical

Board would visit the residence of Mrs. Madura Khanwilkar, the address of which we have very carefully set out in Clause 5(a) of our operative order. This apart, the trauma which may have been caused to the patient in visiting the Sassoon General Hospital can just be imagined

3. In such context we require an explanation to be furnished by them as to how without applying to the Court for modification of the said order, they had called the patient Mrs. Madura to attend the hospital. Let an affidavit of explanation be placed on record by the Dean and that of the concerned Doctors on or before the returnable date.

4. Today we are informed that the Board requires further four days time to submit a report. We, accordingly, extend the time to submit the report.

5. Accordingly, list the proceedings on **7 April, 2025 (H.O.B.)**.

6. The affidavit as directed by us be placed on record on or before 5 April, 2025. The petitioner is also directed to place on record an affidavit stating the distance from the residence of the patient to the B.J. Medical College and Sassoon General Hospital and the time which was consumed at such hospital.

7. We shall consider all these issues on the adjourned date of hearing.

8. We clarify that if we are not satisfied with the explanation, we shall proceed to pass further appropriate orders.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI, J.)