IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 3696 OF 2024
IN
WRIT PETITION NO. 5157 OF 2024

Anita Kishore .....Petitioner
Vs.
Union Of India
through the Department of Health &
Family Welfare and Ors. .....Respondents

Mr. A. Manoj, for the Petitioner.
Ms. Deepanjali Mishra, i/b Adv. Rahul Tiwari for Respondent No.1-Union of India.
Mr. Vishal Thadani, AGP, with Adv. P. Vikrant, for State.

CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.
DATE : 24th JANUARY 2025

P.C.:-

1) At the outset, learned counsel for the Petitioner seeks leave to implead the Petitioner's children as party Respondents. Leave granted. Amendment be carried out forthwith during the course of the day. Re-verification dispensed with.

2) The Petitioner is the wife of the Respondent No.3- Kishore Shreedharan and is suffering from psychosis, depression and dementia, after an event of Grade IV Subarachnoid hemorrhage- bleeding between

the brain and the thin tissues that cover the brain.

3) The Petitioner as well as the Respondent No.3 both are senior citizens. The aforesaid Petition has been filed by the Petitioner for a limited purpose of appointing her jointly with the Respondent No.4 (Aunt of the Petitioner) as a legal guardian of the Respondent No.3.

4) Considering the medical condition of the Respondent No.3, we request the Dean of Sir JJ Group of Hospitals to constitute a Medical Board, which will include a Neurologist to examine Respondent No.3 with respect to his medical condition and submit a report to this Court within two weeks from today.

5) The Petitioner shall take Respondent No.3 to the hospital as and when called upon by the Medical Board for the purpose of his examination in terms of this order.

6) Issue notice to the Respondents No.1 and 2 returnable on 14th February 2025. Ms. Deepanjali Mishra waives notice for Respondent No.1-Union of India and Mr. Vishal Thadani, AGP waives notice for the Respondent No.2-State.

7) The learned AGP to communicate this order to the Dean to enable him to take appropriate steps and to comply with this order.

8) In the meantime, issue notice to the newly added Respondents returnable on 14th February 2025. In addition to the Court notice, learned counsel for the Petitioner to serve newly added Respondents by private notice and file an affidavit of service before the next date. *Humdast* permitted.

9) Stand over to **14th February 2025**.

(DR. NEELA GOKHALE, J.) (REVATI MOHITE DERE, J.)

SHAMBHAVI NILESH SHIVGAN
Digitally signed by SHAMBHAVI NILESH SHIVGAN
Date: 2025.01.27 11:21:54 +0530