

AD -18
Ct No.25
22.04.2026
(SSS)

WPA 4674 of 2026

Nilima Ghosh
Vs.
State of West Bengal and Ors.

Mr. Firdous Samim,
Ms. Gopa Biswas,
Mr. Hasanuz Zaman Molla,
Mr. Md. Imzamamul Islam,
Mr. Asik Mondal
....For the petitioner.

Mr. Sambuddha Dutta,
Mr. Ritesh Kr. Ganguly
....For the respondents.

1. The petitioner has filed the present writ application praying for a direction upon the respondent authorities particularly, Director of Medical Education and the Authorization Committee, Government of West Bengal to consider the request of the petitioner for grant of approval for the renal transplantation of the petitioner who has been diagnosed with end stage renal disease and is in urgent need of kidney transplantation.

2. Learned counsel for the petitioner submits that the petitioner is suffering from CKD Stage 5 and the petitioner needs renal transplantation as the mode of treatment. As per the advice of the

doctor, the petitioner has arranged the donor, namely, Mithun Nag, who is the respondent no. 7 for donation of the kidney to the petitioner. Accordingly, the petitioner has applied for before the Authorization Committee for transplantation of the kidney of the petitioner by allowing the donor to donate the kidney of the respondent no. 7 to the petitioner. Learned counsel for the petitioner submits that though the name of the petitioner is appearing in the list prepared by the Organ Transplantation Board held on 11.11.2025, but till date the authorities have not taken any decision by allowing for kidney transplantation.

3. Learned counsel for the respondent authorities have submitted the report wherein it reveals that the two members Verification Committee has been constituted in order to support and assist the function of Authorization Committee with additional information under the Transplantation of Human Organ Act, 1994. On the receipt of the proposal of the petitioner for permission of renal transplantation of the petitioner, the two members Verification Committee submitted the report. After receipt of the verification report along with the police verification report, the case was placed before the Board of the meeting of the State level Authorization Committee on 11.11.2025. In the report it is mentioned that after careful

examination of the case, it was found that PVR is totally unfavourable and there is specific objection regarding involvement of financial transaction and middlemen and so the case was rejected by the Board meeting.

4. The petitioner has also disclosed the notice of the Board meeting which was scheduled to be held on 11.11.2025 and the respondents herein in the report have submitted a notice of the Board but have not disclosed the decision whether the request of the petitioner for transplantation of the kidney has been rejected.

5. In view of the above, the writ petition is disposed of by directing the Authorization Committee to pass a reasoned and speaking order on the request made by the petitioner within a week from the date of receipt of the order and to communicate the same to the petitioner within two days. If any order is already passed by the Authorization Committee, the said order be communicated to the petitioner within a period of one week from date.

6. The petitioner is directed to communicate this order to the authority for compliance.

(Krishna Rao, J.)

