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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 2212/2026 and CM APPL. 10736/2026**

KARANDEEP PUPNEJA

.....Petitioner

Through: Mr. Shrutanjaya Bhardwaj, Ms. Yashi Bajpai, Ms. Anushka Singhal, Advocates.

versus

GOVERNMENT OF NCT OF DELHI AND ANR.

.....Respondents

Through: Mr Tushar Sannu Ms Pulak Gupta Joshi, Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **17.02.2026**

1. The instant petition is for the following reliefs:-

“a. Direct the Respondent-GNCTD to comply with Rule 6(4) of the Delhi Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Ombudsman and Legal Proceedings) Rules, 2022 and establish websites for each Ombudsman constituted under the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 for the NCT of Delhi;

b. Direct the Respondent-GNCTD to make suitable provisions for the training and sensitization of Ombudsmen and their staff with respect to the provisions of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act and Rules framed thereunder, the stigma and concerns faced by persons living with HIV, and model procedures/ protocols necessary for isolating the office of the Ombudsman from the other offices/roles falling under the same officer, maintaining confidentiality of the proceedings, and preserving the identity of the complainant;



c. Direct the Respondent-GNCTD to comply with Section 26 of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 Act and direct all the Ombudsmen in its jurisdiction to conclude all complaints filed by persons living with HIV within a period of 30 days of the receipt of the complaint; and

d. Pass any such other order as this Hon'ble Court may deem fit in the facts and circumstances of this case."

2. The facts of the case would indicate that on 18.09.2024, the petitioner was tested positive for HIV. The petitioner between June-July 2025 approached the officials of Niva Bupa Health Insurance, Bajaj Allianz Health insurance and HDFC ERGO General Health Insurance (insurers) seeking health insurance coverage. However, these companies denied giving insurance to the petitioner solely on the basis of his HIV positive status. On 02.07.2025, the petitioner filed a complaint under Section 25 of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 (the Act) before the District Magistrate (West Delhi) who was acting as an Ombudsman under the Delhi Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Ombudsman and Legal Proceedings) Rules, 2022. The said complaint has not been decided till date.

3. Mr. Tushar Sannu, on instructions submits that on account of bifurcation of the districts, the matter would fall within the jurisdiction of District Magistrate (Central North). He submits that since the said officer is currently, on training, the Link Officer, being District Magistrate (West), would have jurisdiction to decide the petitioner's complaint.

4. Having considered the overall conspectus of the facts and circumstances, the Court directs the concerned District Magistrate/Link



Officer to deal with the petitioner's complaint within a period of four weeks from the date of receipt of copy of the order passed today.

5. With respect to the administration infrastructure, let the competent authority of the State to look into all those aspects and to take appropriate action.

6. With the aforesaid observations, the instant petition stands disposed of along with all pending applications.

PURUSHAINDR KUMAR KAURAV, J

FEBRUARY 17, 2026

Nc/amg