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

+ W.P.(C) 10292/2021 & CM APPL. 31689/2021

SAURAV SUMAN THROUGH HIS MOTHER  
MRS. BABY DEVI

..... Petitioner

Through Mr. Prasoon Kumar, Adv.

versus

GOVERNMENT OF NCT OF DELHI AND ANR..... Respondents

Through Mr. Naushad Ahmed Khan, ASC,  
GNCTD for R-1

**CORAM:**

**HON'BLE MS. JUSTICE REKHA PALLI**

**ORDER**

% **15.09.2021**

**CM APPL. 31689/2021**

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

**W.P.(C) 10292/2021**

3. The petitioner who is 17 years and nine months of age had approached this court being aggrieved by the order dated 26.08.2021 passed by respondent no.2 rejecting his request for donating a part of his liver to his ailing father.

4. Learned counsel for the petitioner submits that the impugned order clearly shows that there has been total non-application of mind on the part of respondent no.2 who has failed to appreciate that the Rules 5 (3) (g) permits donation of living organs or tissues by a minor in certain

exceptional circumstances which aspect has been totally overlooked while passing the impugned order.

5. Issue notice. Mr. Naushad Ahmed Khan accepts notice on behalf of respondent no.1.

6. Upon the petitioner taking steps issue notice to the respondent no. 2 through all permissible modes returnable on 24.09.2021 including email. Dasti, in addition.

7. Counter affidavit, if any, be filed within three days from the date of service. Rejoinder thereto, if any, before the next date.

8. Keeping in view the urgency in the matter, an authorized officer of respondent no.2 well conversant with the facts of the case will remain present on the next date through video conferencing.

**REKHA PALLI, J**

**SEPTEMBER 15, 2021**

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