

Shibu V vs the Union of India

Shibu V vs the Union of India

SooperKanoon Citation : sooperkanoon.com/1329626

Court : Kerala

Decided On : Aug-08-2024

Judge : Honourable Mr. Justice T.R.Ravi

Appeal No. : RP/837/2024

Appellant : Shibu V

Respondent : The Union of India

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE T.R.RAVI THURSDAY, THE 8TH DAY OF AUGUST 2024 / 17TH SRAVANA, 1946 AGAINST THE ORDER DATED 24.06.2024 IN WP(C) NO.22133 OF 2024 OF HIGH COURT OF KERALA REVIEW PETITIONERS/PETITIONERS: 1 SHIBU V AGED 53 YEARS, S/O VISWAMBARAN, RESIDING AT NIRMALYAM HOUSE, VELLIPARAMBA P.O, KITTIKATTOOR, KOZHIKODE, KERALA, PIN - 673008 2 ASHA SHIBU AGED 50 YEARS, W/O SHIBU V, NIRMALYAM HOUSE, VELLIPARAMBA P.O, KITTIKATTOOR, KOZHIKODE, KERALA, PIN - 673008 BY ADVS. ALEX.M.SCARIA SAHL ABDUL KADER GEORGE KAPPEN RESPONDENTS/RESPONDENTS: 1 THE UNION OF INDIA SASTHRI BHAVAN, NEW DELHI, PIN - 110001 2 THE STATE OF KERALA SECRETARIAT,

THIRUVANANTHAPURAM, PIN - 695001 3 THE APPROPRIATE AUTHORITY FORMED U/S 12 OF THE ART (R) ACT, 2021 REPRESENTED BY VICE CHAIRPERSON - DR. PREETHI, ADDITIONAL DIRECTOR OF HEALTH SERVICES (FW), PALAYAM - AIRPORT ROAD, NEAR GENERAL HOSPITAL ROAD JUNCTION, THIRUVANANTHAPURAM, KERALA, PIN - 695035 4 THE DISTRICT REPRODUCTIVE & CHILD HEALTH (RCH) OFFICER DISTRICT MEDICAL OFFICE, ERNAKULAM, PARK AVENUE, MARINE DRIVE, ERNAKULAM, KERALA, PIN - 682011 5 THE VIJAYALAKSHMI MEDICAL CENTRE CHAKKARAPARAMBU, N H BY- PASS, VENNALA P.O., ERNAKULAM, REPRESENTED BY ITS DIRECTOR, PIN - 682028 SMT.REKHA C.NAIR, SR.GOV.T.PLEADER SRI.GEORGEKUTTY P.I., FOR R5 SRI.T.C.KRISHNA, DSGI THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 08.08.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T.R. RAVI, J.

R. P. No.837 of 2024 in W. P. (C). No.22133 of 2024 Dated this the 8th day of August, 2024

ORDER

The review petition has been filed since the interim order of this Court had granted relief only with regard to continuing ART though the request was for continuing ART and Surrogacy treatment. The above submission appears to be correct and the

order was intended to apply to both ART and Surrogacy treatment.

In the above circumstances, review petition is allowed. The interim order dated 24.06.2024 is modified. In addition to the interim order dated 24.06.2024, there will be an interim direction to the 5th respondent to proceed with altruistic mode of surrogacy, pending the writ petition. Sd/- T.R. RAVI JUDGE Pn

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com