

[3552]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE FOURTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

HONOURABLE SRI DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

WP(PIL) NO: 12 OF 2026

Between:

Guntha Venkata Sai Kumar, S/o Ramaiah, Aged 29 years, Occ:
Unemployee R/o Penugolanu, District NTR, Andhra Pradesh 521401,
Aadharcard: 403945488068 Bank A/c: 041110100049723; Union Bank,
Penugolanu Branch Phone: 8465811421 Email:
gvsaikumar.guntha@gmail.com

Petitioner(party in person)

AND

1. The State of Andhra Pradesh, rep by its Chief Secretary, General Administration Department, A.P. Secretariat, Velagapudi Amaravathi. 522 238
2. The State of Andhra Pradesh, rep by its Principal Secretary, Health, Medical & Family Welfare Department, Government of Andhra Pradesh, A.P. Secretariat, Velagapudi Amaravathi. 522 238
3. The Director, Directorate of Medical Education. old Government General Hospital Hanumanpet. Vijayawada. Government of Andhra Pradesh, Vijayawada. 521001
4. Chief Executive Officer, Dr. NTR VAIDYA SEVA Trust, Government of Andhra Pradesh, Mangalagiri. 522 503

5. The Andhra Pradesh Medical Services And Infrastructure Development Corporation (APMSIDC), rep by its Managing Director, Autonagar, Mangalagiri- 522503, Andhra Pradesh.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or direction mostly one which is in the nature of a Writ of Mandamus

1) declaring the inaction of the Respondents in not revising the package amount for Bone Marrow Transplantation (BMT) under NTR Vaidya Seva (formerly Dr. YSR Aarogya Sri) since G.O.Rt.No.694 dated 11.11.2020, despite steep medical inflation and increased cost of treatment, as arbitrary, unreasonable and violative of Articles 14 and 21 of the Constitution of India.

2) To Direct the Respondents to revise the package amount for BMT to a medically realistic and inflation-adjusted level, based on expert recommendations, national standards, and actual present cost of treatment.

3) To Direct the State Government to allocate the necessary funds for civil structure, equipments and human resource for establishment of BMT facilities at major Government General hospitals in Andhra Pradesh such as Visakhapatnam KGH, Vijayawada GGH, Guntur GGH, Kurnool GGH.

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to direct the Respondents to provisionally revise and enhance the package amount for Bone Marrow Transplantation (BMT) under NTR Vaidya Seva to a medically realistic interim amount, considering present treatment costs and medical inflation, so that eligible beneficiaries are not denied life-saving treatment solely due to the inadequacy of the existing packages, Pending disposal of WP(PIL) 12 of 2026, on the file of the High Court.

IA NO: 2 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to Direct the Respondents to constitute an Expert Committee comprising senior haematologists, transplant physicians, oncologists, health economists and health-administration experts to assess the current cost of BMT and recommend a revised package amount within 30 days, Pending disposal of WP(PIL) 12 of 2026, on the file of the High Court.

IA NO: 3 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to Direct the Respondents to initiate preliminary steps towards establishing a Government Bone Marrow Transplantation (BMT) Unit in Andhra Pradesh, including identification of suitable infrastructure and manpower planning, and place a short status report before this Hon'ble Court within a time period fixed by this Hon'ble Court, Pending disposal of WP(PIL) 12 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of PARTY IN PERSON, (Sri Guntha Venkata Sai Kumar), learned GP FOR GAD for the Respondent No.1, learned GP FOR HEALTH MEDICAL AND FAMILY WELFARE for the Respondent Nos.2 to 5, the Court made the following

ORDER:

The issue that has been highlighted in the present Public Interest Litigation is quite important and relevant and that is to the extent that there is no provision for conducting a Bone Marrow Transplantation (BMT), which is highly expensive procedure and is to be undertaken over a period of time, in any of the hospitals/medical colleges run in the Government Sector.

It is stated that a large number of private hospitals do have this facility for which an exorbitant amount is paid by the patients, who, in all cases, may not be in a position to afford the treatment. ✓

It was urged that by virtue of G.O.Rt.No.694, Health, Medical & Family Welfare (I) Department, dated 11.11.2020, the Bone Marrow Transplantation was introduced under the erstwhile Dr.Y.S.R. Aarogyasri Scheme, now Dr. N.T.R. Vaidya Seva, and the amount which is payable for such a treatment requiring Bone Marrow Transplant is capped at Rs.11,00,000/- for patients above the age of 14 years and Rs.10,00,000/- for patients below 14 years. ✓

It is stated that quite a number of patients have lost their lives on account of their financial incapacity. ✓

The petitioner appearing in person has drawn our attention to the fact that a number of neighbouring states have established Government run Bone Marrow Transplant Units and are providing such services almost free of cost. ✓

In our opinion, if the other states in the country could provide for such a treatment, we have no reason to believe that a progressive State like Andhra Pradesh does not have such a capacity or have not conceived a programme whereby such a treatment could be made available in Government run hospitals or the medical colleges. ✓

Let an affidavit be filed with regard to the issues that have been involved in the present petition. ✓

Smt S. Pranathi, learned Special Government Pleader appearing for the State, however, states that the Government is contemplating introduction of this specialized treatment in Government run hospitals. ✓

Let an affidavit be filed giving the timelines within which the aforementioned procedures could be successfully undertaken with trained faculty. ✓

List on 18.02.2026. ✓

The Government may also, in the meantime, consider increasing the upper limit for financial reimbursement to the patients affected with the disease which requires such a treatment. ✓

//TRUE COPY//

SD/- M.PRABHAKARA RAO
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Chief Secretary, General Administration Department, A.P.
Secretariat, Velagapudi Amaravathi. 522 238, State of Andhra Pradesh
(BY SPECIAL MESSENGER)
2. The Principal Secretary, Health, Medical & Family Welfare Department,
Government of Andhra Pradesh, A.P. Secretariat, Velagapudi
Amaravathi. 522 238, State of Andhra Pradesh (BY SPECIAL
MESSENGER)
3. The Director, Directorate of Medical Education. old Government
General Hospital Hanumanpet. Vijayawada. Government of Andhra
Pradesh, Vijayawada. 521001
4. Chief Executive Officer, Dr. NTR VAIDYA SEVA Trust, Government of
Andhra Pradesh, Mangalagiri. 522 503
5. The Andhra Pradesh Medical Services And Infrastructure Development
Corporation (APMSIDC), rep by its Managing Director, Autonagar,
Mangalagiri- 522503, Andhra Pradesh. ✓
6. Guntha Venkata Sai Kumar, S/o Ramaiah, Aged 29 years, Occ:
Unemployee R/o Penugolanu, District NTR, Andhra Pradesh 521401,
Aadharcard: 403945488068 Bank A/c: 041110100049723; Union Bank,
Penugolanu Branch Phone: 8465811421 Email:
gvsaikumar.guntha@gmail.com (Addressee Nos.3 to 6 by SPEED
POST)
7. Two CCs to GP FOR GENERAL ADMINISTRATION, High Court Of
Andhra Pradesh. [OUT] ✓

8. Two CCs to GP FOR HEALTH MEDICAL AND FAMILY WELFARE, High Court of Andhra Pradesh. [OUT]
9. One CC to M/s. S. PRANATHI, STANDING COUNSEL [OPUC]
10. Two spare copies

KJ

HIGH COURT

**HC,J&
CGR,J**

DATED:04/02/2026

LIST ON 18.02.2026

ORDER

WP(PIL).No.12 of 2026

INTERIM DIRECTION

