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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 6603/2025

**MASTER ADWAIT HARITAS THROUGH HIS FATHER AND
NATURAL GUARDIAN MR VIVEK SHARMA.....Petitioner**

Through: Mr. Piyush Sanghi, Ms. Khushbu
Sahu, Mr. Nikhil Singh, Ms.
Raahithya Raj Mishra, Mr. Ashish
Mishra, Mr. Sujith Suresh, Mr. Jayant
Yadav and Ms. Sana Parveen, Advs.

versus

**UNION OF INDIA THROUGH SECRETARY MINISTRY OF
HEALTH AND FAMILY WELFARE & ORS.Respondents**

Through: Mr. Ripudaman Bhardwaj, CGSC,
Mr. Kushagra Kumar and Mr. Amit
Kumar Rana, Advs. for UOI.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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18.11.2025

1. A status report dated 07.11.2025, has been filed on behalf of AIIMS, which, *inter-alia* reads as under:

"3. That the petitioner requires medicine "RISDIPLAM" for treatment of the rare disease/disorder being SMA Type 2. As per the AIIMS contract rate of Rs. 5,20,000 per bottle, a total of 09 bottles can be provided to the petitioner, Master Adwait, within the sanctioned limit of Rs. 50 lakhs under the National Rare Disease Policy. 08 bottles of "RISDIPLAM" have already been procured and one additional bottle will be procured once the child completes the fifth bottle.

4. That the team of doctors at AIIMS contacted the parents of Master Adwait to inform them that the medicines had been received. The parents were informed the doctors that the petitioner has been receiving Risdiplam through the manufacturer's "Blue Tree Programme" since March 2025. Under the Blue Tree Programme, the family had procured a total of 10 bottles and initiated treatment in March 2025; at present, two bottles remain, which are expected to be sufficient until December 2025.



5. That upon completion of the medicines received through the manufacturer's "Blue Tree Programme", the petitioner can utilise the medicines procured by AIIMS. Based on the child's current weight band, one bottle of Risdiplam is sufficient for approximately 26–28 days. Accordingly, the bottles will be issued to the petitioner sequentially, one after the other, only after completion of the previous bottle and after submission of the empty bottle back to AIIMS.

6. That the aforesaid averments are true and correct, and have been made in the interest of justice. Nothing has been concealed or omitted therefrom."

2. Learned counsel for the petitioner submits that the price at which the AIIMS is procuring 'Risdiplam' is excessive. It is pointed out that even though the status report indicates that only nine bottles can be purchased within the sanctioned limit of Rs.50 Lakhs, as a matter of fact, for the same amount, the petitioner has been able to purchase 24 bottles of the same medicine.

3. Learned counsel for the petitioner further informs that for the current year i.e. until 31.12.2025, the petitioner has already made arrangements for administration of Risdiplam through a private source. It is submitted that the petitioner shall require administration of the drug through AIIMS only for the year 2026. The petitioner seeks that AIIMS be directed to rationalise the procurement price so as to enable the petitioner to obtain the requisite quantity of the drug.

4. Let a copy of the AIIMS rate contract be placed on record within a period of three weeks from today.

5. The petitioner is also directed to place on record the relevant bills, showing the price at which he has been able to procure Risdiplam.

6. List for further consideration on 12.01.2026 at 02.30 PM.

NOVEMBER 18, 2025/cl

SACHIN DATTA, J