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

+ **W.P.(C) 6603/2025**

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

.....Petitioner

Through: Mr. Piyush Sanghi, Mr. Nikhil Singh,
Ms.Khushbu Sahu, Ms. Sharmishta
Solanki, Mr.Raahithya Raj Mishra,
Mr.Aditya Singh Raghuvanshi,
Mr.Jayant Yadav, Ms. Sana Rais,
Advocates.

versus

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

.....Respondent

Through: Mr. Ripudamn Bhardwaj, CGSC,
Mr.Kushagra Kansal, Mr. Amit
Kumar Rana, Advocates for R-UOI.
Mr Darpan Wadhwa, Senior
Advocate with Mr Shrawan Chopra,
Ms Prachi Agarwal, Mr Achyut
Tewari, Ms Krisha Baweja, Rea
Bhalla Advocates for R-2.
Mr. Tanveer Oberoi, Advocate for R-
4.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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18.05.2026

1. Respondent No. 2, namely Roche Products (India) Pvt. Ltd., has filed its counter affidavit. After making brief submissions in paragraph 6 onwards



of the said affidavit, the following stand has been taken in paragraphs 10 to 12 thereof:—

“10. In line with the above, for the Petitioner to obtain the free vials in lieu of the purchases of vials made through AIIMS, the Petitioner would need to follow the following steps:

- a. Provide a valid neurologist's prescription detailing the patient's weight, required dosage, and other relevant medical information.*
- b. Submit proof of purchase, such as paid invoices for out-of-pocket expenses or a purchase order for those under a reimbursement scheme. i.e., such as through AIIMS.*
- c. Complete the online verification process by sharing a government-issued ID.*
- d. Successful completion of these steps ensures enrolment into the TBT patient support program.*

11. It is clarified here that since the Petitioner has an existing TBT enrolment number, therefore in his case, Roche will need a prescription, alongside the doctor and patient consent forms, which must be signed by the treating physician at AIIMS, ie, if the Petitioner has procured the drug from AIIMS through government reimbursement system to further provide the drug to him. The Petitioner and / or AIIMS may directly approach Roche for the above purpose, and Roche will endeavour to expeditiously process his application, given all eligibility criteria set out as per TBT processes are met.

12. Roche also offers a patient enrolled with TBT, the following Post-Enrolment Procedures and Benefits:

- a. TBT will supply the remaining Evrysdi PAP vials directly to the patient based on medical necessity. The number of PAP vials will be based on their paid purchases and as per the applicable PAP.*
- b. Vials are delivered in a staggered manner to ensure product quality and eliminate the need for patient storage, considering risdiplam requiring specific handling and storage conditions.*
- c. Deliveries occur one to two days before the scheduled therapy; patients should contact TBT to order the next vial according to their medical needs*
- d. A trained phlebotomist will visit the patient's home to reconstitute the vial, ensuring the dosage is prepared correctly before handing it over.*
- e. Enrolled patients can access value-added services, including dietary counseling and physiotherapy, at no extra cost.”*



2. The aforesaid suggestion appears to be reasonable and is acceptable to the petitioner.
3. The petitioner is permitted to avail of the aforesaid suggestion and the remedy extended by Respondent No. 2.
4. In view of the above observations, the present petition stands disposed of.
5. All rights and contentions of the parties are left open.

PURUSHAINDRA KUMAR KAURAV, J

MAY 18, 2026/Nc