

15.09.2025
Item Nos.1 to 3
PG/KS
Ct. No.1

W.P.A.(P) 20 of 2020
With
IA No. CAN 1 of 2023
+
CAN 2 of 2023
Muscular Dystrophy Patient Welfare Society & Anr.
-Vs.-
Ministry of Health & Family Welfare
Government of India & Ors.

With
W.P.A. 6300 of 2023
Yuvaan Singh & Ors.
-Vs.-
Union of India & Ors.
With
W.P.A.(P) 9 of 2023
Parivaar Bengal & Anr.
-Vs.-
State of West Bengal & Ors.

Ms. Nandini Mitra
Ms. Saloni Bhattacharyya
Ms. Gulsanwara Pervin

.....For the Petitioners
in
(W.P.A.(P) 20 of 2020)

Mr. Biswaroop Bhattacharya
Mr. Sidhdhatha Sankar Mandal
Ms. Arunima Das Sharma

.....For the Petitioners
in
(W.P.A. 6300 of 2023)

Mr. Kaushik Gupta
Ms. Srimoyee Mukherjee

.....For the Petitioners
in
(W.P.A.(P) 9 of 2023)

Mr. Asok Kumar Chakraborti, Ld. A.S.G.
Mr. Arijit Majumder
Mr. Tirthapati Acharya

.....For the U.O.I.
in
W.P.A.(P) 20 of 2020)

&
W.P.A. 6300 of 2023

Mr. Suddhadev Adak
Mr. T. Chakraborty
Ms. Richa Pramanik

.....For the State
in
(W.P.A.(P) 20 of 2020)

Mr. Nilotpal Chatterjee
Mr. S. Adak

.....For the State
in
(W.P.A.(P) 9 of 2023)

Mr. Kishore Duta, Ld. A.G.
Mr. Tapan Kumar Mukherjee, Sr. Adv.
Mr. Somnath Naskar

.....For the State
in
(W.P.A. 6300 of 2023)

Mr. Jayanta Samanta, Ld. Jr. Govt. Adv.
Mr. I. Banerjee

.....For the Chief Secretary, Govt. of W.B.

Mr. Suman Chattopadhyay
.....For the Respondent In W.P.A.(P) 9 of 2023

1. Reference may be made to the order dated 12th September, 2025. Minor inadvertent typographical mistakes have occurred in paragraphs 8 and 9. In paragraph 8, instead of the word “deducting” it should be “detecting” and in paragraph 9, instead of the word “deduction” it should be read as “detection”.
2. Let the said corrections be deemed to stand incorporated in the order dated 12th September, 2025 for all practical purposes.

3. The other portions of the said order dated 12th September, 2025 shall stand unaltered.
4. Let this order form part of the order dated 12th September, 2025.
5. We have heard the learned advocates appearing for the parties.
6. In our order dated 12th September, 2025, we had extracted the response given by the State of West Bengal with regard to the various directions and one such direction was with regard to purchase of sleep study equipment alongwith bipap machine. The response of the State Government is that there are two such sleep study equipments available in I.P.G.M.E. & R, S.S.K.M. Hospital and with the Institute of Psychiatry and in case additional number of machines are required for the work, such additional number of machines would be procured by the Department. The direction issued earlier, in the earlier orders was to provide an exclusive sleep study equipment alongwith bipap machine for the Centre at the Kolkata Police Hospital. Therefore, there will be a direction to the respondents/State Government to purchase one sleep study equipment alongwith bipap machine to be installed in the Kolkata Police Hospital exclusively reserved for the persons suffering from rare disease.

7. Further, there was a direction with regard to providing 5 ICU/CCU Beds exclusively for persons suffering from rare diseases. In fact, in the earlier direction, the Court suggested that 3 such beds be earmarked for persons suffering from Muscular Dystrophy and 2 for the persons suffering from other rare diseases. The concerned hospital authorities shall take note of the suggestion and act accordingly.
8. Mr. Jayanta Samanta, learned Government counsel appears for the Chief Secretary of the Government of West Bengal and the Principal Secretary, Finance Department, Government of West Bengal though they have not been impleaded as respondents in the writ petitions and it is the submission that policy decision will be taken very soon with regard to payment of Rs.5,000/- per month as stipend for persons suffering from rare disease. The submission is taken on record.
9. Learned advocate appearing for the writ petitioners in W.P.A.(P) 20 of 2020 has served a copy of the writ petition on Mr. Jayanta Samanta, learned Government Counsel.
10. Mr. Subrata Ray, Assistant Director, State Bureau of Health Intelligence is present in Court. The matter pertains to certain difficulties faced by the persons suffering from rare disease in obtaining the UDID /Disability Cards. It is no doubt true that

certain glitches, which were there earlier stands resolved but however, there appears to be some more issues, which needs to be addressed.

11. We have requested Mr. Kaushik Gupta, learned senior advocate appearing for the petitioner in W.P.A. (P) 9 of 2023 to hold discussion with Dr. Subrata Ray with regard to the issues faced by the persons suffering from rare disease qua the UDID/Disability Cards.
12. After getting the inputs from Mr. Gupta, learned senior advocate, Dr. Ray shall file a report before this Court on the next hearing date as to how the issues could be resolved.
13. List these matters on 14th November, 2025 in the daily list.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)