

16.07.2026
Court No.25
D/L No.5
S. Gayen

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 14608 of 2026

Sunita Khara
Versus
State of West Bengal & Ors.

Mr. Aritra Basu
Ms. Maitree Roy

...for the Petitioner

Mr. Falguni Bandyapadhyay
Mr. Rohit Banerjee
Ms. Riya Ballab

...for the State

Mr. Saurendra Betal

...for the Respondent No.7

Mr. Uttam Kumar Mandal

...for the Respondent No.8

1. The petitioner has filed the present writ application challenging the impugned order dated June 19, 2023 wherein the Director of Medical Education rejected the prayer of the petitioner for permission of kidney transplantation of the recipient from the donor. In the impugned order, there is no averment whether the donor as well as the recipient was examined by the Authorization Committee or not.
2. Learned counsel for the petitioner has brought to the notice of this Court to the legal notice appearing in page 59 in paragraph 4, it is mentioned that as per the notice dated June 5, 2026 issued by the Authorization Committee for organ transplantation at Swasthya Bhawan, the recipient and the donor had appeared on June 9, 2026 wherein it was informed verbally that the case shall not be passed. Neither in the impugned

order nor the report filed by the authorities transpires whether the Authorization Committee has interacted with the recipient and the donor with regard to the relationship between both the parties.

3. Learned counsel for the State is directed to file a further report by way of affidavit by disclosing whether the Authorization Committee has examined the recipient and the donor before passing the order and if any video recording is available with regard to the examination of the recipient and donor, the video recording may also be placed before this Court on the next date fixed.
4. Let the matter appear on July 22, 2026 under the same heading within ten matters.

(Krishna Rao, J.)