

ITEM NO.22

COURT NO.1

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 18225/2024

(Arising out of impugned final judgment and order dated 02-07-2024 in WP(C) No. 4927/2024 passed by the High Court of Delhi at New Delhi)

HARISH RANA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No.179149/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 20-08-2024 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Manish Jain, Adv.
Mr. Jugul Kishor Gupta, AOR
Mr. Vikas Kumar Varma, Adv.
Mr. Vinod Kumar Bhargav, Adv.
Mr. Shanky Jain, Adv.
Ms. Babila K K, Adv.
Mr. Purushotham, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1 A petition under Article 226 of the Constitution was instituted before the High Court of Delhi by the parents (Nirmala Devi and Ashok Rana) in the name of

their son Harish Rana seeking that he may be examined by a Medical Board to consider administration of passive euthanasia.

2 Harish Rana is a 30 year old who suffered head injuries over a decade ago after sustaining a fall from the fourth floor when he was a student. He is bed ridden since 2013 and is stated to be in a permanently vegetative state suffering from Quadriplegia with a 100% disability.

3 The High Court dismissed the petition holding that active euthanasia is impermissible in view of the judgment of this Court in ***Common Cause (A Registered Society) Vs Union of India & Anr¹***. In the present case, the High Court was of the considered opinion that Harish Rana was not being kept alive 'mechanically' and was able to sustain himself without life support of external aid.

4 *Prima facie*, we are in agreement with the view of the High Court that the case would not fall within the ambit of passive euthanasia since Harish Rana does not appear to be on life support.

5 At the same time, the submission before the Court is that the parents are now aged 62 and 55 years respectively and are not in a position to care for their only child who is in a vegetative state for the last 11 years.

6 In order to examine whether a humanitarian solution, other than euthanasia, can be found, more particularly, by exploring whether any other facility can be located where the needs of Harish Rana can be taken care of, we issue notice to

1 (2018) 5 SCC 1

the Union of India.

7 Liberty to serve the Central Agency.

8 We request Ms Aishwarya Bhati, Additional Solicitor General to assist this Court.

9 List on 6 September 2024.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(POOJA SHARMA)
COURT MASTER (NSH)