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

CNR No. DLHC010174572024

+ **W.P.(C) 4854/2024**

BISHMEET KAUR

.....Petitioner

Through: Mr. Piyush Gupta, Mr. Mustafa
Alam, Mr. Vipul Jain, Mr. Amit
Garg & Ms. Liza, Adv.

versus

GOVT. OF NCT OF DELHI & ORS.Respondents

Through: Ms. Nitika Bhutani, PC-
GNCTD

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

22.09.2026

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1. The present petition is filed by the petitioner through her parents, seeking directions to Respondents to consider conducting hysterectomy operation (surgical removal of uterus) on the petitioner.

2. The petitioner is stated to be an adult lunatic child born on 21.03.2005 and is stated to be suffering from Cerebral Palsy with spastic moderate hemi paresis with moderate mental retardation (IQ=42). She is also stated to be mentally disabled (*83% disability which is permanent in nature and the condition is non-progressive*). Hence, it is informed that she is not in a fit state of mind to give consent to the surgery, which, as per the parents is required, as she is unable to manage herself and maintain menstrual hygiene, during the menstrual cycles.

3. Learned counsel for the respondents submits that the petitioner is getting treatment in Deep Chand Bandhu Hospital, Ashok Vihar and



that the surgery can only take place after the approval of the Board of Doctors.

4. Considering the above, the respondents are directed to constitute an independent multidisciplinary Medical Board and take a decision on the surgery to be conducted on the petitioner, within a period of four weeks.

5. Before parting, it is apposite to mention that disability in itself can never be the only ground to deny reproductive autonomy or approve removal of reproductive organ and thus, such a route of surgical intervention can be adopted if medical evaluations suggest that the same would be in the best interest of the petitioner for protection of her welfare and dignity. Hence, this Court has merely granted permission to constitute the medical board who can decide whether such a surgery is required in lieu of chequered medical background of the petitioner. The same may not be construed as *carte blanche* or approval of the surgery, since the opinion on the surgery has to be formed by domain experts i.e. medical experts.

6. The petition is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

SEPTEMBER 22, 2026
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