

21/09/2020

Item No. 1

AB/S DE

Through Video Conference

W. P. A. 5479 of 2020

With

I.A. No.CAN/1/2020

(Old No.CAN 4144 of 2020)

Vineet Ruia

Vs

**The Principal Secretary, Ministry of Health &
Family Welfare, Govt. of WB & Others**

Mr. Vineet Ruia ...Petitioner (in person).

Mr. Kishore Datta, Ld. AG,
Mr. Sirsanya Bandyopadhyay,
Mr. Arka Kr. Nag,
Mr. Sayan Sinha ...for the State.

After hearing the petitioner in person and learned Advocate General for the State, we have modified the directions contained in paragraph 24 of the Judgment and Order dated 16th September, 2020 and subparagraphs (i) and (viii) of paragraph 24 shall now read as follows :

“(i) When post mortem of the dead body is not required, the dead body shall be handed over to the immediate next of kin of the deceased i.e. the parents/surviving spouse/children ; which shall be not more than six persons ; after completion of hospital formalities, for being taken to the burial

ground/crematorium directly. The body should be secured in a body bag, the face end of which should be transparent and the exterior of which will be appropriately sanitized/decontaminated so as to eliminate/minimize the risk to the people transporting the dead body.

(viii) The persons handling the dead body shall go directly from the hospitals to the crematorium/burial ground as may be indicated by the State/LSGI officials, as the case may be, and not to anywhere else including the home of the deceased where he/she last resided.”

Let this order be incorporated in the Judgment and Order dated 16th September, 2020.

(Thottathil B. Radhakrishnan, C.J.)

(Arijit Banerjee, J.)

Later :

In view of this order, let the Judgment and Order dated 16th September, 2020 be amended in terms of what is stated hereinabove.

Let that original order, as amended, be uploaded to ensure continuity and to exclude the possibility of confusions.

(Thottathil B. Radhakrishnan, C.J.)

(Arijit Banerjee, J.)