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

+ W.P.(CRL) 538/2022

ROSHAN LATA ARYA

..... Petitioner

Through: Mr. Siddharth Luthra, Sr. Adv. with
Mr. Nitin Saluja, Mr. Mudit Gupta,
Mr. Anubhav Singh, Mr. D. Chauhan,
Mr. Kaustab Seth, Mr. Akshat Kumar
and Mr. Sheezan Hashmi, Advs.

versus

UNION OF INDIA & ORS.

..... Respondent

Through: Mr. Anurag Ahluwalia, CGSC for R-
1.
Mr. Rajesh Mahajan, Adv. for R-3
with SI Vivek

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

% **10.03.2022**

CrI.M.A.4679/2022

Exemption allowed, subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 538/2022 & CrI.M.A.4678/2022 (for directions)

1. This petition has been filed under Article 226 of the Constitution of India seeking the following reliefs:

A) Issue a Writ of Mandamus or any other appropriate Writ, thereby directing the Respondent No. 1 to immediately constitute a panel of doctors from the Respondent No. 2 hospital for conducting a Post Mortem and Autopsy on the Deceased, namely Late Mr. Mukul Arya, and submit a report before this Hon'ble Court within a stipulated period of time;


Court Master
High Court of Delhi
New Delhi

B) Issue a Writ of Mandamus or any other appropriate Writ, thereby constituting a Commission of Inquiry for inquiring into the suspicious circumstances under which the Deceased died and submit a report before this Hon'ble Court within a stipulated period of time;

2. Learned standing counsel for respondent no.1 submitted that he has instructions from the MEA that MEA is facilitating the autopsy to be conducted at AIIMS as desired by the family of the deceased.
3. In view of the submissions of standing counsel for respondent no.1, learned senior counsel for the petitioner is satisfied, however, he submitted that post-mortem may be video-graphed.
4. Looking into the facts and circumstances of the case, and the submissions of learned standing counsel for respondent no.1, let the post-mortem be video-graphed and the same be made part of the record.
5. Learned senior counsel for the petitioner further submitted that at this stage, he is not pressing prayer (B) in view of the submissions made by standing counsel for respondent no.1, and he seeks liberty to raise this issue/prayer at an appropriate stage.
6. Petition stands disposed of accordingly with the liberty as prayed.
7. Digitalized copy of this order be sent to Director, AIIMS.
8. Copy of this order be given *dasti* to the counsel for the parties under the signatures of the Court Master.

MARCH 10, 2022/ib

RAJNISH BHATNAGAR, J


Court Master
High Court of Delhi
New Delhi