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

+ **W.P.(C) 18011/2024**

ABC

.....Petitioner

Through: Mr. Sanjeev Kr. Baliyan, Mr. Nirbhay
Sharma, Ms. Jyoti Garg and Mr. Yash
Yadav, Advocates.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Sameer Vashisht, Standing
Counsel with Ms. Harshita Nathrani,
Advocates for GNCTD
Mr. Sandeep Tyagi, SPC with Ms.
Akshita Tyagi and Mr. Sanjay
Kanojia, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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24.12.2024

CM APPL. 76597/2024(seeking exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Petitioner shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

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4. The Petitioner, a transgender individual who identifies herself as a female, has experienced unfortunate incidents. She asserts that at a tender



age of 4-5 years, she was abducted by a transgender, who was part of a human-trafficking group. She was locked in a closed room and sexually abused by people. She has tested HIV positive and needs to undergo medical treatment for the same.

5. Counsel for Petitioner asserts that on consulting the doctors at Respondent no. 4/ Lok Nayak Hospital, New Delhi, it was suggested that the Petitioner should be admitted to the hospital for the purpose of HIV treatment. In absence of any identity documents, the Petitioner states that the required HIV treatment is not being given to her by Respondent no. 4/ Lok Nayak Hospital, New Delhi. Counsel for Petitioner submits that they have also contacted many NGOs for shelter of the Petitioner, but all of them have refused in light of fact that the Petitioner has no government identity card. Hence the present petition.

6. Issue notice. Mr. Sameer Vashisht, ASC, accepts notices on behalf of Respondent No. 3.

7. By way of this order a direction is issued to Respondent no. 4/ Lok Nayak Hospital, New Delhi to examine the Petitioner and in case she would need any treatment, the same be provided to her forthwith, notwithstanding the Petitioner's lack of identification documents. Mr. Sameer Vashisht, Standing Counsel for GNCTD, is requested to co-ordinate with Lok Nayak Hospital, New Delhi, for compliance of the said direction.

8. Furthermore, Respondent Nos 1-3 are directed to find a suitable shelter for the Petitioner taking into account her health condition as well as the current weather conditions in New Delhi. Mr. Vashisht along with Ms. Harshita Nathrani, are requested to coordinate with Respondent No. 1-2 to immediately look into the matter and have the said direction complied with



at the earliest.

9. Let counter affidavit be filed within two weeks from today. Rejoinder thereto, if any, be filed before the next date of hearing.

10. It is noted that the Petitioner also seeks rehabilitation. Thus, Union of India is directed to report to the Court, on the next date of hearing, whether the Petitioner can be provided any skill training for the purpose of her rehabilitation into the society.

11. Issue notice to the remaining Respondents, upon filing of process fee, returnable on the next date of hearing. On service, such Respondents shall file a counter affidavit within a period of four weeks from the date of service.

12. Let a copy of this order be also supplied to the director, Lok Nayak Hospital, New Delhi and Respondent No. 1 and 2, for compliance.

13. Re-notify on 09th January, 2025.

14. *Dasti* under the signatures of the Court Master.

SANJEEV NARULA, J

DECEMBER 24, 2024

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