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

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Date of Decision : 21.07.2026+ **LPA 539/2026, CM APPL. 45648/2026, CM APPL. 45649/2026 & CM APPL. 45650/2026**

GITANJALI J. ANGMO

.....Appellant

Through: Mr. Akhil Sibal, Senior Advocate with Ms. Bahuli Sharma, Ms. Susan Maria Mathew, Ms. Ridhi Arora, Mr. Yoshit Jain, Mr. Suryaansh Kishan Razdan and Ms. Jahnavi Sindhu, Advocates along with Appellant-in-person.

Dr. Satish Lamba and Dr. Nitin Baban Dighe for Appellant.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Tushar Mehta, Solicitor General of India, Mr. Chetan Sharma, Additional Solicitor General of India with Mr. Ashish K. Dixit, CGSC, Mr. Umar Hashmi, Mr. Amit Gupta, Mr. Shubham Sharma, Mr. Naman, Mr. Ayush Kumar and Ms. Iqra Sheikh, Advocates for R1, 3 & 4 along with Dr. Charu Bamba (MS), Dr. Akshay Kumar (Prof. EMD) and Mr. Arin Choudhary (Head EMD).

Dr. Nikhil Tandon, Director In-charge AIIMS with Dr. Akshay Kumar, Additional Professor, Dr. Manisha B. Thakur, HOD Medicine, Mr. Nishant Kumar (IRS), Deputy Secretary and



Mr. Satya Ranjan Swain, Panel Counsel for AIIMS.

Mr. Sameer Vashisht, Standing Counsel (Civil) GNCTD with Mr. Aryaman Vachher, Advocate for R2. SI Akanksha Bhargava, PS Parliament Street.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

DEVENDRA KUMAR UPADHYAYA, C.J.(ORAL)

1. Heard Mr. Akhil Sibal, learned Senior Advocate representing the Appellant, Mr. Tushar Mehta, learned Solicitor General of India along with Mr. Chetan Sharma, learned Additional Solicitor General of India representing Respondent Nos. 1, 3 & 4, and Mr. Sameer Vashisht, learned Standing Counsel representing GNCTD.
2. The instant *intra court* Appeal has arisen out of an order dated 19.07.2026 passed by the learned Single Judge in W.P.(C) 9770/2026 (“**Writ Petition**”) instituted by the Appellant. The Writ Petition was filed with the following prayers:

“a. Issue appropriate writ and declare the continued confinement of Shri Sonam Wangchuk at Safdarjung Hospital, in isolation and without access to his counsel or doctors who had been examining him for the last 20 days, as illegal, unconstitutional and violative of Articles 19 and 21 of the Constitution of India, and direct his immediate release/discharge from such confinement;

AND

b. Issue a writ, order or direction directing the Respondents to grant the Petitioner and her counsel immediate, unrestricted and continued access to Shri Sonam Wangchuk;

AND



c. Issue a writ, order or direction directing the Respondents to permit and facilitate the shifting of Shri Sonam Wangchuk to a hospital/medical centre of the Petitioner's and his own choice, and to complete all discharge formalities in that regard forthwith;

AND

d. Issue a writ, order or direction directing the Respondents to forthwith furnish to the Petitioner complete, accurate and contemporaneous medical records/reports of Shri Sonam Wangchuk, whether in digital or physical form, and to continue to do so on a real-time basis for so long as he remains under medical care;

AND

e. Restrain the Respondents from administering any medicine, fluid, or medical intervention of any kind to Shri Sonam Wangchuk without his free and informed consent, or, in case he is not in a position to give such consent, without the informed consent of the Petitioner as his next of kin;

AND

f. Pass such interim orders in terms of prayers (a) to (f) above, pending final hearing and disposal of this petition, as this Hon'ble Court may deem fit, having regard to the urgency involved and the continuing nature of the alleged illegal confinement;”

3. By the order dated 19.07.2026, the learned Single Judge, after hearing the learned Counsel for the Parties, issued notice and further observed that no case for interim order was made out at that stage. Learned Single Judge also required the Parties to file the Status Report / Reply and directed that the decision in respect of medical condition of husband of the Appellant shall be taken as per strict medical protocols to ensure his safety. Learned Single Judge further directed that the medical team shall continuously monitor the vitals of the husband of the Appellant.

4. This Court, after hearing learned Counsel for the Parties on 20.07.2026, i.e., yesterday, passed the following order:

“1. Heard Mr. Akhil Sibal, learned Senior Advocate representing the Petitioner, Mr. Tushar Mehta, learned Solicitor General of



India, Mr. Chetan Sharma, learned ASG representing Respondent Nos. 1, 3 and 4 and Mr. Sameer Vashisht, learned Standing Counsel representing GNCTD.

2. *Having regard to the overall facts and circumstances of the case as also the submissions made on behalf of the Parties, we direct that all the pathological reports of the husband of the Appellant based on the samples analyzed at the laboratories of Safdarjung Hospital, All India Institute of Medical Sciences (“AIIMS”) and the private laboratory, shall be filed on an Affidavit to be sworn in by none other than the Director of the Respondent No. 4 - hospital.*

3. *The Appellant shall also file the pathological reports based on analysis of the blood or urine samples of the Appellant’s husband which are said to have been conducted at some private laboratory. These reports will include today’s sample’s analysis also.*

4. *We request that the In-charge Director of AIIMS and Dr. Akshay, Additional Professor, Emergency Medicine, AIIMS shall be present tomorrow for our assistance. The doctor, whom the Appellant has been consulting, may also be present during the course of hearing tomorrow.*

5. *It is further directed that Respondent No. 4 - hospital while filing the Affidavit under this Order, shall also bring on record all the medical / health bulletins issued from time to time in respect of the health condition of the husband of the Appellant.*

6. *List on 21.07.2026 at 12:30 PM. ”*

5. In deference to the said order dated 20.07.2026, Dr. Nikhil Tandon, In-charge Director of All India Institute of Medical Sciences, Delhi (“AIIMS”) and Dr. Akshay Kumar, Additional Professor, Emergency Medicine, AIIMS are present.

6. The Court, in its order dated 20.07.2026, had permitted the doctor, whom the Appellant has been consulting, to be present. Accordingly, Dr. Satish Lamba is also present.



7. Two sets of documents have been filed on behalf of the Appellant. One set of documents contains medical reports based on the analysis of blood and urine samples of husband of the Appellant, which was conducted at a private laboratory, namely, Oncquest Laboratories. The other set of documents submitted today contains certain statements of husband of the Appellant and a communication made by the officiating Medical Superintendent of Vardhman Mahavir Medical College and Safdarjung Hospital, New Delhi ("**Safdarjung Hospital**"), dated 20.07.2026. Both sets of documents are taken on record.

8. An Affidavit, sworn in by the Director of Safdarjung Hospital has also been filed. The said Affidavit is also taken on record.

9. The documents and Affidavit filed by the Parties have been exchanged amongst themselves. Dr. Tandon, In-charge Director, AIIMS, and Dr. Akshay have perused different medical reports based on the analysis of blood and urine samples of husband of the Appellant analysed at Safdarjung Hospital, AIIMS and also at private pathological laboratories.

10. We have also interacted with all the three doctors present today. On interaction with them, what we find is that certain concerns have been expressed by the doctors primarily relating to low Total Leucocyte Count (TLC) and the Potassium level in the blood sample of husband of the Appellant. There appears to be a consensus that the husband of the Appellant needs constant and continuous monitoring by medical experts.

11. At present, husband of the Appellant is being treated at Safdarjung Hospital, however, Mr. Sibal, learned Senior Counsel appearing for the



Appellant has raised an argument regarding alleged violation of the fundamental rights of husband of the Appellant enshrined under Articles 19 and 21 of the Constitution of India, 1950 (“**Constitution**”).

12. Having regard to the submissions made by learned Counsel for the Parties and the opinions given and concerns expressed by the doctors present, we are of the opinion that husband of the Appellant ought to be shifted to a hospital of his choice. During the hearing of this matter before this Court yesterday as also today, on behalf of the Appellant it has been stated that husband of the Appellant can be medically taken care of at Medanta Hospital, Gurugram (“**Medanta Hospital**”), which is the hospital of his choice.

13. We are also of the opinion that in case husband of the Appellant is shifted to Medanta Hospital, that will be in fulfilment of the requirements of ensuring his fundamental rights enshrined not only under Article 19 but also under Article 21 of the Constitution.

14. Mr. Mehta, learned Solicitor General of India has stated that the Respondents will have no objection to hospitalisation of the husband of the Appellant in Medanta Hospital.

15. In view of the aforesaid, we, accordingly, direct that the husband of the Appellant shall immediately be shifted to Medanta Hospital. The Director of Medanta Hospital shall form a team of doctors having requisite expertise, which shall constantly monitor the medical condition of the husband of the Appellant and shall also administer the medication, as may be required in their opinion, as per the established medical norms / protocols. Husband of the Appellant shall abide by the line of treatment and



advice of the team of doctors, who would be attending him at Medanta Hospital.

16. So far as access to the Appellant to her husband during the course of his hospitalization at Medanta Hospital is concerned, in addition to the medical protocol in this regard which is being observed at Medanta Hospital, she shall be allowed to visit her husband as and when she desires.

17. The instant Appeal is disposed of in the aforesaid terms. Pending Applications, if any, also stand disposed of.

18. With the consent of learned Counsel for the Parties, the Writ Petition being W.P.(C) No. 9770/2026 along with the pending applications, if any, also stands disposed of. The date already fixed, i.e., 24.07.2026 in the Writ Petition, accordingly, stands cancelled.

19. Before parting, we may place our appreciation on record to the Doctors from AIIMS present today and Dr. Lamba for providing requisite assistance to the Court.

20. A copy of this Order shall be kept on the paper book of the Writ Petition.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

JULY 21, 2026/sms