

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.13861 of 2015**

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Reshma Prasad @ Ramesh Prasad Son / Daughter of Ram Parvesh Prasad  
Resident of House of Vinda Yadav, Gorla Toli, Station Road, P.S. Kotwali,  
District Patna.

... .. Petitioner/s

Versus

1. Union of India through Secretary, National AIDS Control Organization (NACO), 9th Floor, Chandralok Building, Janpath, New Delhi.
2. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
3. Principal Secretary, Department of Health, Bihar.
4. The Principal Secretary, Department of Social Welfare, Bihar.
5. The Project Director, Bihar State AIDS Control Society, Sheikhpura, Patna.
6. The Bihar State Legal Service Authority through Member Secretary, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s	:	Mr. Vikash Kumar Pankaj, Advocate
For the Respondent/s	:	Mr. Sanjeet Kr. Singh, AC to AAG 6
For A.I.D.S. Control Society:		Mr. Sanjeev Kumar, Advocate
For B.S.L.S.A.		Mr. Patanjali Rishi, Advocate
For Union of India		Mr. Awadesh Kumar Pandey, SGC-2 Mr. Ravinder Kumar Sharma, CGC-2

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 18-09-2017**

The petitioner wants this Court to monitor and implement the directions issued by the Hon'ble Supreme Court in the case of National Legal Services Authority vs. Union of India, (2014) 5 SCC 438, with regard to grant of benefit to the 3<sup>rd</sup> gender community (transgenders). The grievance seems to be purely with regard to establishment of integrated counselling and testing centres and to make them functional and various issues decided by



the Supreme Court in the case of National Legal Services Authority (supra).

On notice being issued, the Bihar State Legal Services Authority (hereinafter referred to as BSLSA) has already filed a detailed counter affidavit indicating that the BSLSA, in coordination with the State Government, is ensuring the implementation of the judgment in question and the rights available to the transgenders as per the directions of the Supreme Court are being implemented. It is also indicated that a State level Consultation Programme about H.I.V. infected and affected children has been organized and for organizing such awareness camps steps are being taken.

Taking note of all the facts and circumstances and the fact that the NALSA and BSLSA are already coordinating with the State Government and other stake holders and in view of the directions issued by the Supreme Court, it is not necessary for us to monitor the issue in question as steps have already been taken and appropriate Committees and Boards have been constituted for implementing the direction of the Supreme Court.

In case the petitioner feels that any issue pertaining to implementation of the direction of the Supreme Court is still wanting, he should take up the issue with the Member Secretary,



NALSA or the Member Secretary, BSLSA who have been entrusted with the responsibility and we are confident that both the authorities shall look into the issues in presence of the petitioner coordinating with the stake holders and proceed to take action in accordance with law.

With the aforesaid liberty to the petitioner, we dispose of the matter.

**(Rajendra Menon, CJ)**

**(Anil Kumar Upadhyay, J)**

K.C.Jha/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	24.9.2017
Transmission Date	

