

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 10138 OF 2019

Renuka Ganesh Vaidya

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Mangesh M. Jadhav, Advocate for the Petitioner.

Shri S. N. Morampalle, A.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 19TH AUGUST, 2019.

FINAL ORDER :

- . The length of pregnancy is 21 weeks and 05 days.
2. The petition is filed seeking directions for termination of pregnancy.
3. We had under our order dated 14th August, 2019 referred the petitioner to the Committee constituted by the Dean, Government Medical College and Hospital, Aurangabad.
4. The Committee has examined the petitioner and has given its report and opinion. The same reads thus :

"We have thoroughly examined Renuka Ganesh Vaidya and her obstetric Sonography report. On obstetric ultra-sonography dated 16/08/2019 done at GMC, Aurangabad. Following findings are noted.

- a. Length of Pregnancy : Gestational Age of 21 weeks 05 days.
- b. Single live intrauterine fetus with grossly dilated bilateral lateral ventricles, Lemon sign and Banana sign are positive, and Meningomyelocoele-- all suggestive of Arnold Chiari type 2 Malformation.

Taking into consideration the above findings, there is substantial risk that if the child were born, it would suffer from such a physical and mental abnormalities, as to be seriously handicapped. Hence this Committee recommends termination of pregnancy. Pregnancy can be terminated at Government recognized centre of choice of patient with due risk to mother and the risk is explained to her."

5. The Committee has opined that, there is substantial risk that if child were born, it would suffer from such physical and mental abnormalities as to be seriously handicapped. The committee has recommended termination of pregnancy.

6. The petitioner is explained the risk involved in the termination of pregnancy. The learned counsel for the petitioner on instructions submits that, the petitioner wants to proceed with the termination of pregnancy.

7. In the light of the opinion of the expert committee, the petitioner is permitted to terminate the pregnancy at the Government recognized centre. The writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb / August 19