

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1447 OF 2019

Zarka Khan

... Petitioner

V/s.

Union of India and Ors.

... Respondents

Ms. Neha Philip for the Petitioner.

Ms. Anamika Malhotra for Respondent Nos. 1 and 3.

Mr. N.C. Halimbe, AGP for the Respondent.

**CORAM : B.P.DHARMADHIKARI, &
REVATI MOHITE DERE, JJ.
DATE : 06th FEBRUARY, 2019**

P.C.:

1. Heard respective Counsel. Perused report received from Sir J.J. Hospital along with forwarded letter dated 06.02.2019.
2. Envelop containing the forwarding letter and Report has opened in the Court. Perusal of report shows that eight experts have examined Petitioner and fetus. They have found that fetus suffers very serious neurological and other abnormalities in the form of Acrania, Kyphoscoliosis, Omphalocele and Congenital Diaphragmatic Hernia. The Experts therefore, certified that condition of fetus fulfills the criteria of **"Substantial risk of serious physical Handicap"**. They have taken note of fact that pregnancy has advanced to 26 weeks and hence, permission of Court is necessary.

Petitioner before committee had reiterated her desire to terminate it. Even today, learned Counsel for Petitioner communicates the same desire.

3. In this situation, accepting the report, we permit Petitioner to terminate the pregnancy. She shall report at Sir J.J. Hospital by 12.00 noon on 08.02.2019 where necessary procedure shall be undertaken at the earliest.

4. Parties to act upon an authenticated copy of this order.

(REVATI MOHITE DERE, J.)

(B.P.DHARMADHIKARI, J.)