

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-29549-2019

Date of Decision:-17.10.2019.

Kanchan and another

.....Petitioners

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. Ajay Pal Singh, Advocate for the petitioners.

None for respondent No.1.

Ms. Geeta Sharma, Advocate for respondent No.2.

Mr. Vikrant Sharma, Advocate for respondent No.3.

SANJAY KUMAR, J. (Oral)

This writ petition was filed seeking permission to terminate the pregnancy of petitioner No.1. Further, the petitioners sought direction to the Post Graduate Institute of Medical Education and Research, Chandigarh, respondent No.3, to constitute a Medical Board for furnishing a report as to the status of the pregnancy of the first petitioner, so as to enable her to terminate the pregnancy even beyond the period of 20 weeks, if warranted.

By order dated 10.10.2019, this Court directed respondent No.3 to get the petitioner medically examined in respect of her prayer for termination of the pregnancy and to place on record the recommendation of the Board of Doctors. Today, the report of the Medical Board is produced

in a sealed cover. The same is taken on record. Perusal thereof reflects that the Board, comprising 12 Doctors, unanimously opined that there is a severe congenital anomaly in the fetus with grave prognosis, which is not compatible with life. In view of the same, the Board recommended medical termination of the pregnancy at this stage.

In the light of the aforestated recommendation, the writ petition is allowed permitting petitioner No.1 to undergo termination of pregnancy at the hospital of respondent No.3. Needless to state, respondent No.3 shall take effective measures for termination of the pregnancy of petitioner No.1 at the earliest, considering the fact that she is already in an advanced stage of pregnancy.

No order as to costs.

A copy of this order be given to the learned counsel for the parties under the signatures of Bench Secretary.

(SANJAY KUMAR)
JUDGE

October 17, 2019.

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.