

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-31568-2019

Date of decision: 4.11.2019

Manisha Devi and another

.....Petitioners.

vs.

Union Territory, Chd and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Petitioners in person.

Mr. Ajay Kumar Kayat, Junior Admin Assistant,
Legal Cell, PGI.

.....

Sanjay Kumar, J. (ORAL)

This writ petition was filed seeking a direction to respondents to undertake termination of the pregnancy of the first petitioner on the ground that continuation thereof would be dangerous to her health, physical and mental, and also to the fetus.

By order dated 31.10.2019, this Court directed the Post Graduate Institute of Medical Education and Research, Chandigarh, the second respondent, to undertake medical examination of the first petitioner through its Permanent Board of Doctors to ascertain as to whether it would be advisable to terminate her pregnancy.

Pursuant thereto, the Board examined the first petitioner and submitted its recommendation by way of a sealed report. The said report is produced by Mr. Ajay Kumar Kayat, Junior Admin Assistant, Legal Cell of the second respondent and the same is taken on record.

Perusal of the report demonstrate that the Board found that the period of gestation is over 22 weeks and the fetus suffers from a severe congenital anomaly with poor prognosis which is not compatible with normal life. The Board recommended that the first petitioner should undergo termination of pregnancy in a Tertiary Care Hospital setting,

In the light of the aforestated report, the petitioners are entitled to secure a direction to the medical authorities to terminate the pregnancy of the first petitioner. As the petitioners seek to undertake this exercise under the aegis of the second respondent, the writ petition is disposed of permitting the first petitioner to get herself admitted in the hospital of the second respondent for the purpose of terminating her pregnancy as per due procedure. There shall be a direction to the second respondent to extend all necessary medical facilities to the first petitioner in this regard and undertake the medical termination of her pregnancy at the earliest.

The writ petition is allowed.

No order as to costs.

Copy of this order be given to the parties under the signature of the Bench Secretary.

(SANJAY KUMAR)
JUDGE

4.11.2019

preeti

whether speaking/non speaking

yes

whether reportable/non reportable

yes/no