

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

CWP-32229-2019

Date of decision: 14.11.2019

Kulwinder Kaur and another**.....Petitioners.****vs.****U.T., Chandigarh and another****.....Respondents.****CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR**

Present: - Ms. Benti Kaur, Advocate for the petitioners.

Mr. Namit Kumar, Advocate
for respondent No. 1.Mr. Abhishek Kumar, Advocate for
Mr. Amit Jhanji, Advocate for respondent No. 2.

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Sanjay Kumar, J. (ORAL)

The writ petition was filed seeking a direction to the Post Graduate Institute of Medical Education and Research, Chandigarh, the second respondent, to allow the first petitioner, Kulwinder Kaur, to get her pregnancy medically terminated as the foetus suffers from a birth defect.

By order dated 7.11.2019, this Court directed the first petitioner to present herself before the second respondent so as to enable her examination by the Permanent Board of Doctors constituted by the second respondent and to submit its recommendation in a sealed cover as to whether it would be advisable for the first petitioner to undergo medical termination of her pregnancy, keeping in mind the advanced stage thereof.

Today, Mr. Abhishek Kumar, learned counsel representing the second respondent, produced the sealed report of the Board of Doctors of the second respondent and the same is taken on record.

Perusal thereof reflects that the Board found that the gestation of the first petitioner's pregnancy was over 22 weeks but the foetus suffers from a congenital malformation which is not compatible with normal life. The Board accordingly recommended that the first petitioner undergo medical termination of her pregnancy.

In the light of the aforesaid recommendation, the writ petition is disposed of permitting the first petitioner to get her pregnancy medically terminated, either through the aegis of the second respondent or any other Tertiary Care Hospital. Steps in this regard shall be taken as per due procedure as soon as possible, keeping in mind the advanced stage of pregnancy of the first petitioner.

No order as to costs.

A copy of this order shall be given to the parties under the signatures of the Bench Secretary of this Court.

(SANJAY KUMAR)
JUDGE

14.11.2019

preeti

whether speaking/non speaking

yes

whether reportable/non reportable

yes/no