

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

CWP-32439-2019

Date of decision: 14.11.2019

Prabhjot Kaur

.....Petitioner.

vs.

State of Haryana and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. Harsh Goyal, Advocate for the petitioner.

Mr. R.K. Doon, Additional Advocate General, Haryana.

Mr. Madhu Dayal, Advocate for respondents No. 2, 3 and 5.

Mr. Vikrant Sharma, Advocate for respondent No. 4.

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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 fourth respondent, to allow the petitioner, Prabhjot Kaur, to get her pregnancy medically terminated on account of medical complications.

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

Today, Mr. Vikrant Sharma, learned counsel representing the fourth respondent, produced the sealed report of the Board of Doctors of the fourth respondent and the same is taken on record. Perusal thereof

reflects that the Board found that the gestation of the petitioner's pregnancy was over 24 weeks but the fetus suffers from congenital Heart Disease, which is not compatible with normal life. The Board accordingly recommended that the petitioner undergo medical termination of her pregnancy.

In the light of the aforestated recommendation, the writ petition is disposed of permitting the petitioner to get her pregnancy medically terminated, either through the aegis of the fourth respondent. 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 petitioner. The petitioner shall however comply with and complete all necessary formalities in this regard, including the furnishing of an undertaking indemnifying the fourth respondent-PGIMER from any risks.

No order as to costs.

A copy of this order shall be given to learned counsel for 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