

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

CWP-33232-2019

Date of decision: 19.11.2019

Meera Devi

.....Petitioner.

vs.

State of Haryana and others

.....Respondents.

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. D.K. Bhatti, Advocate for the petitioner.

Mr. Chetan Dayal, Advocate for

Mr. Madhu Dayal, Advocate for respondent No. 4.

Mr. Amit Jhanji, Advocate for respondent No. 5

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Sanjay Kumar, J. (ORAL)

The petitioner approached this Court seeking a direction to the Post Graduate Institute of Medical Education and Research, Chandigarh, the fifth respondent, to constitute a Board to examine as to whether the petitioner's pregnancy should be medically terminated, despite the gestation of over 22 weeks, as the foetus suffers from congenital anomalies.

By order dated 16.11.2019, this Court directed the petitioner to present herself before the Medical Superintendent of the Post Graduate Institute of Medical Education and Research, Chandigarh, the fifth respondent, to enable her examination by its Permanent Board of Doctors to ascertain as to whether it would be advisable to medically terminate her pregnancy at this stage.

Pursuant to such examination, the Permanent Board of

Doctors of the fifth respondent submitted its report dated 18.11.2019 in a

sealed cover and the same is taken on record. Perusal thereof reflects that the Board found that the gestation was over 20 weeks but the foetus suffered from congenital malformation with poor prognosis 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 aforesaid recommendation, the writ petition is disposed of permitting the petitioner to get her pregnancy medically terminated through the aegis of the fifth 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 fifth 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 signature of the Bench Secretary of this Court.

(SANJAY KUMAR)
JUDGE

19.11.2019

preeti

whether speaking/non speaking

yes

whether reportable/non reportable

yes/no