

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2558 OF 2020

Priyanka Nitin Hatagale

.. Petitioner

Versus

The State of Maharashtra and another

.. Respondents

Mr. S. D. Hiwrekar, Advocate for the Petitioner.

Mrs. M. A. Deshpande, Addl. G. P. for Respondents-State.

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 12th FEBRUARY, 2020.

PER COURT:-

- . The petitioner seeks permission to terminate the pregnancy.
2. The petitioner was referred to the expert committee constituted by the Dean, Government Medical College and Hospital, Aurangabad. The expert committee has examined the petitioner and submitted the report. The report reads thus :

*“The committee has thoroughly examined **Priyanka Nitin Hatagale** and her obstetric Sonography report. On obstetric ultra-sonography dated 11-02-2020 at GMCH, Aurangabad. Following findings are noted.*

- a. Length of Pregnancy : Gestational Age of 20 weeks
06 days.

b. Single live intrauterine fetus with Dandy-walker malformation, hypoplastic left atrium and left ventricle and dilated right atrium and right ventricle. Mild pericardial effusion is seen with small VSD. Short upper and lower limbs in comparison to BPD, HC and AC. Right renal pyelectasis.

Taking into consideration the above findings there is substantial risk to the fetus if born and given anomalies are incompatible with life. Since the patient had 24 weeks of pregnancy clinically, there is possibility that if medical abortion fails this patient may need surgical intervention. Hence this committee recommends termination of pregnancy after she accept the above said risk and submit the affidavit of the same to Honorable High Court. Pregnancy can be terminated at Government recognized centre of choice of patient with due risk to mother and the risk is explained to her and her relatives.”

3. The committee has opined that there is substantial risk to the fetus if born and the given anomalies are incompatible with life. The opinion further states that there is possibility of surgical intervention. The risk is explained to the petitioner.

4. The learned counsel for the petitioner submits that the risk is explained to the petitioner and her husband. They are present in the Court. The petitioner wants to proceed further with the termination of

pregnancy.

5. In the light of the above, the petitioner is permitted to terminate the pregnancy at Government recognized centre.

6. Writ petition accordingly is disposed of. No costs.

7. Authenticated copy be given.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.