

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

3 WRIT PETITION NO.4258 OF 2020

SULOCHANA SANJAY SHELKE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER..RESPONDENTS

...
Mr. Manikrao L. Wankhade, Advocate for the
Petitioner.

Mr. P. S. Patil, AGP for Respondents-State.

...

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

DATED : 23rd MARCH, 2020.

PER COURT:-

1. The petition is filed seeking permission to terminate the pregnancy. Under our order dated 20.03.2020, we had referred the petitioner to the expert committee constituted at Government Medical College and Hospital, Aurangabad. The expert committee has examined the petitioner and submitted its report. The report reads thus:

"The committee has thoroughly examined Sulochana w/o Sanjay Shelke and her obstetric and Sonography report. On obstetric ultrasound dated 21.03.2020 at GMCH Aurangabad. Following findings are noted:

A. Length of Pregnancy: Gestational Age of 24 weeks 05 days.

B. Single live intra-uterine fetus with

complex congenital heart disease in the form of heterotaxy and cardiac apex pointing towards right with hypoplastic right ventricle with tricuspid stenosis and dilated left ventricle and right atrium.

Taking into consideration the above findings there is evidence of substantial risk to the fetus if born. Hence this Committee recommends termination of pregnancy. 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."

2. The committee has observed that there is evidence of substantial risk to the fetus if born. The committee recommends termination of pregnancy. The risk is explained to the petitioner and her relatives.

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

4. Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE