

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4887 OF 2020

Meera w/o Ganesh Chavhan
Age : 26 years, Occupation – Household,
R/o. Shuklatirtha Limgaon,
Post – Sonnathadi, Tq. Majalgaon,
Dist. Beed. ...Petitioner

Versus

1. The State of Maharashtra
Through Principal Secretary,
Public Health Department,
Mantralaya, Mumbai – 32
2. The Chief Medical Officer,
Government Hospital, Beed. ...Respondents

Mr A.V. Lavte, Advocate for Petitioner
Mr S.B. Yawalkar, Assistant Government Pleader for Respondents-State

CORAM : SUNIL P. DESHMUKH AND
SHRIKANT D. KULKARNI, JJ.

DATE : 14th JULY, 2020

PER COURT :

1. The petitioner seeks permission to terminate her pregnancy.
2. The petitioner was referred to Swami Ramanand Tirth Rural Government Medical College and Hospital at Ambajogai for examination in view of section 3 of the Medical Termination of Pregnancy Act, 1971.
3. The Expert Committee has examined the petitioner and submitted its report. The report reads thus -

16. Recommendation by medical Board for termination (choose one and provide any additional recommendations of the panel in the box below if any).

a. Recommended-(if yes please mention the methods)-

Key recommendations of the panel if any with justification-

1. Continuation of pregnancy may affect mental and physical health of woman.

2. There is substantial risk of grave physical handicap to child born.

3. She may have risk of various complications if she undergo termination of pregnancy like

a) Haemorrhage

b) Failure of Abortion

c) Need of surgical method (Hysterotomy)

d) Incomplete abortion

e) Sepsis (Infection)

f) Maternal death

g) Need of blood transfusion.

4. Committee has explained the risk involved in said procedure to the patient and her relatives.

5. Affidavit of said risk to be submitted before the honorable high court.

6. As there is major and multiple fetal congenital anomaly. There is history of same congenital anomaly in previous pregnancy, baby may have syndromic anomaly, hence, the committee recommends termination of pregnancy at any Government recognized M.T.P. centre of choice of patient with due risk.

4. The Expert Committee has opined that there is major and multiple fetal congenital anomaly. There is history of same congenital

anomaly in previous pregnancy, baby may have syndromic anomaly and therefore, the Expert Committee has recommended termination of pregnancy of the petitioner at any Government recognized M.T.P. centre of the choice of the petitioner with due risk.

5. It is further evident from the report that the risk involved in termination of pregnancy is explained to the petitioner and her relatives.

6. Mr Amar Lavte, learned Counsel for the petitioner submits that the petitioner wants to terminate the pregnancy and she has been apprised about the risk involved.

7. In the light of the above, the petitioner is permitted to terminate pregnancy at any Government recognized M.T.P. centre of the choice of the petitioner.

8. The writ petition stands allowed. No order as to costs.

9. Authenticate copy of this order be furnished to the parties.

[SHRIKANT D. KULKARNI, J.]

[SUNIL P. DESHMUKH, J.]

mta