

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

WRIT PETITION NO. 6121 OF 2020

Pooja w/o Ganesh Jagtap and anr. .. Petitioners

Versus

The State of Maharashtra and ors. .. Respondents

Mr Y.B. Bolkar, Advocate for petitioners
Mr S.N. Kendre, A.G.P. for respondents

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

DATE : 9th September 2020

PER COURT:

1. The petitioner no.1 seeks permission to terminate the pregnancy.
2. Mr Bolkar, the learned Advocate for the petitioners submits that the private Doctors have recommended termination of pregnancy on the ground that the fetus would land up in sub-standard of life. The Doctors have pointed out the deficiencies and the disabilities, the fetus would suffer.
3. We had referred the petitioner no.1 to the expert committee constituted by the Dean, Government Medical College and Hospital, Aurangabad. The expert Committee examined petitioner no.1 and submitted the report. The relevant part of the report reads thus :

"12. Investigations done :

Sr.No.	Investigations done	Key findings
01.	CBC, URINE ROUTINE	WNL
02.	USG	Single live intrauterine gestation of 23 weeks with left renal agenesis/hypoplasia and echogenic focus in heart. Gastric bubble appears persistently small, however liquor appears adequate

13. Additional findings and observations : N.A.

14. Physical fitness for termination : Not applicable

A. Yes

B. No

15 -

16 **Not recommended** (if no, justification) : Taking into considerations above radiological finding, no substantial risk to fetus if born. Termination of pregnancy is not recommended.

17. Date and time : 08/09/2020 at 03 p.m."

4. The Committee has opined that taking into considerations the radiological finding, no substantial risk to the fetus if born. The Committee does not recommend termination of pregnancy.

5. In view of the report of the expert Committee, the permission to terminate the pregnancy cannot be granted.

6. Writ Petition is dismissed.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)