

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8500 OF 2020

Manisha w/o Munjai Bobade,
Age : 27 years, Occu. Household,
R/o c/o Anant Chopade,
Vadgaon Kolhati at Digras,
Tq. and District Aurangabad

PETITIONER

VERSUS

1. The State of Maharashtra,
through its Secretary,
Public Health Department,
G.T. Hospital Complex Building,
New Mantralaya, Mumbai
2. The State of Maharashtra,
through its Secretary,
Medical Education and Drugs Department,
G.T. Hospital Complex Building,
New Mantralaya, Mumbai
3. Civil Hospital, Aurangabad,
through Civil Surgeon, Aurangabad
4. Government Hospital and Medical
Training Institution, Aurangabad
through its Dean, Taluka
and District Aurangabad
5. Dr. Prashant Aasegaonkar,
R/o Garbhankur Fetal Medical Center,
First Floor, Plot No.58, Ahinsanagar,
Behind Atul Suzuki, Akashvani Chouk,
Jalna Road, Aurangabad
6. Dr. Mahendra Sing Parihar,
Kamalnayan Bajaj Hospital,
Satara Parisar, Beed Bypass,
Aurangabad

RESPONDENTS

Mr. Ramchandra S. Patil, holding for Ms. Shital J. Yadav,
Advocate for the petitioner
Mr. S.R. Yadav (Lonikar), A.G.P for the respondent/State

**CORAM : V.K. JADHAV AND
MANGESH S. PATIL, JJ.
(VACATION COURT)**

DATE : 24.12.2020

PER COURT :

Heard the learned Advocate for the petitioner and the learned
A.G.P

2. Pursuant to the order dated 22.12.2020, the petitioner had been
to the Expert Committee at Government Medical College and Hospital,
Aurangabad and the learned A.G.P tenders across the bar a report of the
Committee.

3. The petitioner is seeking termination of pregnancy in view of the
provisions of Section 3 of the Medical Termination of Pregnancy Act, 1971.
According to her, as per the medical advice she received, there is danger to
her life and also that of the fetus. However, as can be seen from the report of
the Expert Committee dated 23.12.2020, it has specifically denied to
recommend the case for termination of pregnancy with additional findings
and observations in column No.14, which read thus :-

“Patient is anemic, history of previous caesarean delivery, with advanced pregnancy HENCE NOT RECOMMENDED.”

4. Since this is an opinion of the Expert Committee and there being nothing before us to contradict it, the permission cannot be accorded for termination of pregnancy.

5. The Writ Petition is dismissed.

[MANGESH S. PATIL]
JUDGE

[V.K. JADHAV]
JUDGE