

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

101

(PROCEEDINGS THROUGH V.C.)

CWP-17449-2020

DATE OF DECISION: OCTOBER 21, 2020

Marjina and another

.....Petitioner

VERSUS

The Post Graduate Institute of Medical Education and Research and another

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Ramandeep Singh, Advocate,
for the petitioners.

Mr. Amit Jhanji, Advocate,
for the respondents.

AUGUSTINE GEORGE MASI, J. (ORAL)

When the case was taken up for hearing earlier on 16.10.2020,
following order was passed:-

*“ The case is taken up through video conferencing on
account of COVID-19.*

*Learned counsel for the petitioners states that the
petitioner No.1 is in 23rd week of her pregnancy. The fetus has
been diagnosed with “Hydrocephalus” which is serious and
she has been advised that the same is not compatible with life
and poses a danger to the health and safety of petitioner No.1.*

Notice of motion.

*Mr. Amit Jhanji, Advocate accepts notice on behalf of
the respondents.*

Considering the urgency of the situation, petitioner No.1

is directed to appear before the Medical Superintendent of the PGIMER, Chandigarh on 19.10.2020. The Medical Superintendent is requested to have her examined by the Medical Board on the same date or any other date at the earliest.

Let the report of the Medical Board submitted on the next date of hearing.

Adjourned to 21.10.2020.

To be shown in the urgent list.”

In pursuance of the said order passed by this Court, report of permanent Medical Board of PGI has been produced in Court. A perusal of the same would indicate that permanent Medical Board has recommended that petitioner No.1 may undergo medical termination of pregnancy at this stage due to severe ventriculomegaly in the fetus. The proposed action to be taken thereafter has also been given by the PGI in case petitioner No.1 opts for such medical termination of pregnancy.

In the light of the report of the permanent Medical Board of PGIMER, the present petition is disposed of with liberty to the petitioners to avail of the benefit of the report at the earliest and PGIMER will thereafter proceed in accordance with recommendations of the Board in case petitioner No.1 approaches the said Institute for termination of her pregnancy.

October 21, 2020
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No