

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

WRIT PETITION NO. 215 OF 2021

Swati Sunil Rathod

...Petitioner

**Versus**

The State of Maharashtra and another

... Respondents

Mr. Deshpande Shantanu A. Advocate for the petitioner

Mr. S. N.Kendre, A.G.P. for the respondents.

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

DATE : 13th January, 2021.

**ORDER:**

1. The petitioner seeks permission to terminate the pregnancy.
2. The petitioner was referred to the expert Committee at Government Medical College and Hospital, Aurangabad. The expert Committee examined the petitioner and submitted the report. The report reads thus:

**"Procedure for examination**

9. Date and time of commencement of examination : 12.01.2021  
at 2.00 p.m.

10. Review of available reports and investigations by:

| Sr. No. | Report reviewed | Opinion on the findings |
|---------|-----------------|-------------------------|
| 1       |                 |                         |

11. Examination of girl/women done by :All members of committee

12. Counseling done by: Dr. Pradip Deshmukh, Asst. Professor,  
Psychiatry.

13. Investigations done:

| Sr.No. | Investigations Done | Key findings                                                                                                                                         |
|--------|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.     | CBC, URINE ROUTINE  | Hb-9.8gm% Urine routine- WNL                                                                                                                         |
| 2.     | USG                 | Single Intrauterine fetal demise of gestational age 20 weeks and 2 days having absent cardiac activity, Spalding sin with / open neural tube defect. |

14. Additional findings and observations: N.A.

15. Physical fitness for termination: Yes

A. yes

B. No

16. Recommendations by Medical Board for termination: Recommended by Medical method. Surgical intervention and blood transfusion may be required. The risk involved in the said procedure is explained to the patient and her husband. Otherwise also termination is indicated on medical ground. MTP act does not apply. Patient advised admission immediately.

16. Date and Time: 12.01.2021 at 2:30 p.m."

3. The expert committee has recommended termination of pregnancy of petitioner. The termination is recommended by medical method. The expert committee has opined that surgical intervention and blood transfusion may be required. Risk involved is explained to the petitioner and her husband.

4. Mr. Deshpande, the learned counsel submits that risk involved in

termination of pregnancy is apprised to the petitioner and the petitioner wants to terminate the pregnancy.

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

6. Writ petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC