

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1074 Writ Petition No.9971 Of 2021

Asma Afzaloddin Sayyed .. Petitioner
Versus
The Union of India and Others .. Respondents

...
Mr Santosh B. Bhosale, Advocate for the Petitioner
Mrs M.A. Deshpande, Addl. G.P. for the Respondents – State
...

CORAM : S. V. GANGAPURWALA
AND
R.N. LADDHA, JJ.

DATE : 09-09-2021

PER COURT : -

1. The petitioner seeks permission to terminate the pregnancy.
2. The petitioner was referred to the Expert Committee at Swami Ramanand Teerth Rural Government Medical College, Ambajogai. The Expert Committee has examined the petitioner and submitted the report. The relevant part of the report reads thus:

“13. **Investigations done -**

Sr. no.	Investigations done	Key findings
1.	CBC	Hb 12.1 gram/dl
2.	HbsAg	NON REACTIVE

14. **Additional findings and observations-**

Record additional findings and observations here if any (also include any risk to

the health of girl / woman in case of continuation of pregnancy as well as termination).

No Complaints

Examination findings : General Condition fair, Afebrile, RP-84/min, BP 110/80mmhg, no pallor, No oedema/leterus

P/A – Uterus 22 weeks, Relaxed

15. **Physical fitness for termination -**

a. Yes

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) – Medical, if failed surgical

Key recommendations of the panel if any with justification -

1. Continuation of pregnancy affects the mental health of the mother And will cause grave injury to mental health of the mother.
2. There is a substantial risk that if child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.
3. She may have risk of various complications if pregnancy is terminated at this stage.
 - 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
 - h. Need of obstetric hysterectomy
4. Committee has explained the risk involved in said procedure to the patient and her relatives.

Continuation of pregnancy will cause grave injury to the mental health of mother and there is a substantial risk that if child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped. Hence, the committee recommends termination of pregnancy at government recognized centre of choice of patient with above mentioned risks.”

3. The Expert Committee has recommended the termination of pregnancy. It has observed that there is a substantial risk that if the child were born, it would suffer from such physical or mental

abnormalities as to be seriously handicapped.

4. Going by the Expert Committee's recommendation, the petitioner is permitted to terminate the pregnancy at any Government recognized center.

5. Writ Petition is accordingly disposed of. No costs.

[R.N. LADDHA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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