

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14473 OF 2021

MEERA SURESH BODKHED AND ANOTHER
 VERSUS
 THE STATE OF MAHARASHTRA AND OTHERS

...
 Advocate for Petitioners : Mr. Yogesh K . Bobade
 Addl. GP for Respondents: Mr. P.S. Patil

...
CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.

DATE : 22nd DECEMBER, 2021

PER COURT :-

1. The petitioner seeks permission to terminate the pregnancy.
2. The petitioner was referred to the Expert Committee/Medical Board, at Government Medical College, Aurangabad. The Expert Committee examined the petitioner and submitted the report. The relevant part of the report reads thus:

Additional Investigations(if done) :

Sr. No.	Investigations done	Key findings
1	USG obstetrics anomaly scan	SLIUG with 28 w 3 d with cervical meningocele and prominent left ventricle
2	CBC	HB-12.5,

Opinion by Medical Board for termination of pregnancy:

- a) ~~Allowed.~~
- b) **Denied.**

Justification for the decision : due to advanced gestational age, baby has attained maturity and will be live after termination.

Physical fitness of the woman for the termination of pregnancy : **NOT APPLICABLE**

c) Yes

d) No”

3. As per the opinion of the Expert Committee due to advanced gestational age, baby has attained maturity and will live after termination.

4. The learned counsel for the petitioner submits that regular gynecologist of the petitioner has opined that there are defects, so it is appropriate to terminate the pregnancy. The Court would be bound by the report of Medical Board as it is of the Experts, the Court does not have necessary expertise and is guided by the Expert Committee and the Committee has opined that if the pregnancy is terminated today the baby will be live after termination.

5. In light of the report of Exert Committee, request of the petitioner cannot be accepted.

6. Writ petition is disposed of. No costs.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE