

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1007 OF 2021

Smt. Sulochana Baba Kate

....Petitioner

V/s.

The State of Maharashtra & Ors.

....Respondents

....

Mr. Machhindra A. Patil a/w Vijay R. Garad for the Petitioner.

Ms. Ashwini A. Purav for the Respondent-State.

Adv. Rameshwari Mane, Dist. Legal Counsellor PCPNDT Civil Surgeon
office, Solapur

Mr. Baba Kate, Husband of the Petitioner present in the Court.

**CORAM : A. A. SAYED AND
SURENDRA P. TAVADE, JJ.**

DATE : 1st APRIL 2021

P.C. :

1. Pursuant to the order dated 30th March, 2021, learned AGP has tendered the Report of the Medical Board. The opinion of the Medical Board is as under:

“Decision of termination of pregnancy may be taken on the ground of fetal to Congenital Anomaly.”

2. In view of the above recommendation, we permit the Petitioner to terminate her pregnancy. On the request of the learned Counsel for the Petitioner, we permit the Petitioner to undergo the medical procedure for terminating the pregnancy at Dr. Vaishampayan Memorial Government Medical College, Solapur. The Petitioner shall present herself before the Dean of Dr. Vaishampayan Memorial Government Medical College tomorrow i.e. 2nd April 2021 by 10.00 a.m.

3. We direct that in the event the child is born alive, Respondent

No.1 State of Maharashtra shall ensure that all necessary medical facilities are provided to the child. If the Petitioner is not willing or not in a position to take responsibility of the child then the State and State Agencies will have to assume full responsibility of the child.

4. The Writ Petition is allowed in the aforesaid terms.

5. On the request of learned Counsel for the Petitioner, we record the presence of the husband of the Petitioner in the Court.

6. All concerned to act on an authenticated copy of this order.

(SURENDRA P. TAVADE, J.)

(A.A. SAYED, J.)