

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2291 OF 2021**

Poonam Adamane] Petitioner

Vs.

State of Maharashtra and others.] Respondents

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Ms. Yashasvita Apte, for Petitioner.

Dr. Smt. Kirti R. Kulkarni, A.G.P for Respondent-State.

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**CORAM : UJJAL BHUYAN &
PRITHVIRAJ K. CHAVAN, JJ**

**DATE : 3rd JULY, 2021.
[Through Video Conferencing]**

P.C.

1. Heard learned counsel for the parties.
2. On 29th June, 2021, we had passed the following order which sums up the issue involved in the writ petition;

“2. By filing this petition under Article 226 of the Constitution of India, petitioner seeks a direction to respondent No.2 i.e Sassoon General Hospital, Pune for constitution of a medical board to examine her pregnancy and thereafter

grant permission to her to undergo medical termination of her pregnancy which is stated to be more than twenty eight weeks on account of severe abnormalities in the fetus.

3. Having heard learned counsel for the parties and on due consideration, we direct Sassoon General Hospital, Pune to constitute a medical board for examination of petitioner who shall appear before Sassoon General Hospital, Pune within forty eight hours.

4. Report of the medical board shall be placed before this court in a sealed cover on or before the next date.

5. Stand over to 3rd July, 2021”.

3. Today when the matter is called upon, report of the medical board dated 1st July, 2021 has been placed before us. We have carefully perused the report of the medical board. As per the medical board, pregnancy is more than 29 weeks. While petitioner has no major or obstetric complications, fetus suffers from dandy walker malformation which may cause grave mental health risk to the petitioner. Therefore, medical board has recommended medical termination of pregnancy.

4. Having heard learned for the parties and on due consideration, we permit the petitioner to undergo medical termination of pregnancy in a hospital of her choice having adequate facilities without any loss of time. However, in the event

pregnancy gives birth to a live child, petitioner shall have to take responsibility of the well being of the child.

5. With the above directions, writ petition is disposed of.

[PRITHVIRAJ K. CHAVAN, J.]

[UJJAL BHUYAN, J.]