

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 9526 of 2022

XYZ ... Petitioner

v/s.

State of Maharashtra ... Respondent

Ms. Rachita Padwal, Advocate for the Petitioner.

Mrs. M.P. Thakur, AGP for the State.

CORAM : S.V. Gangapurwala &
Madhav J. Jamdar, JJ.

10th August 2022

P.C.

The Petitioner seeks permission to terminate the pregnancy. The Petitioner was referred to the Expert Committee at Civil Hospital, Satara. The Expert Committee examined the Petitioner and submitted the report. The relevant part of report is reproduced as under:

4. Available reports and investigations:

S.No	Report	Opinion on the findings
	Hb 10.8 BSL 83 mg/dl	Haemodynamically stable
	ECG M/R, No ST T changes	Normal
	P/A - Ut 26 wks, EBF, Relaxed	

5. Additional Investigations (if done):

S.No	Investigations done	Key findings
1)	USG Obs dated 8/8/22 S/O SLIUP of AOA 25 w 3d ± 2 wks with Microcephaly & dilated bilateral lateral ventricles due to severe hydrocephalus.	
2)	Hb 10.8	
3)	ECG M/R No ST T changes	
4)	I.Q. = B.K.T. = 95; M.S.E. TAT = Thematic Apperception Test	I.Q. Average TAT = W.N.L. NO Active psychiatric symptoms at MSE on 08/08/22

6. Opinion by Medical Board for termination of pregnancy:

a) Allowed
b) Denied

Justification for the decision: MTP can be done on the basis of congenital anomalies with due risk. As there is repeated congenital anomalies couple should be genetically counselled & tested preconceptionally.

7. Physical fitness of the woman for the termination of pregnancy:

a) Yes
b) No

fit with due risk

2. The Committee has opined that MPT can be done on the basis of congenital anomalies with due risk. As there is repeated congenital anomalies couple should be genetically counselled and tested preconceptionally.

3. The learned Counsel for the Petitioner submits that Petitioner is

informed of the risk and the Petitioner wants to proceed further with the termination of pregnancy.

4. In view of the report of Expert Committee, the Petitioner is permitted to terminate the pregnancy at a Government recognised Centre.

5. Writ Petition is disposed of.

(Madhav J. Jamdar, J)

(S.V.Gangapurwala, J)

Lata Panjwani, P.S.