



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10755 OF 2023**

Mrs.XYZ Mother of Mrs. XYZ

...Petitioner

Versus

State of Maharashtra through
the Principal Secretary and Another

...Respondents

Mr. Ajinkya M. Udane for the Petitioner.

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

Ms. Purnima Awasthi for Respondent No. 2 – Union of India.

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**

DATE : 12th SEPTEMBER 2023

P. C. :

1. By this petition, the petitioner had sought termination of the pregnancy of her daughter, aged 15 years 9 months, a victim of sexual assault.

2. Vide order dated 29th August 2023 we had directed the respondent no. 3 -Dean/Medical Officer In Charge, District

Hospital, Satara to constitute a Medical Board in terms of Medical Termination of Pregnancy (Amendment) Act, 2021 r/w. Medical Termination of Pregnancy Act, 1971, for examining the petitioner's daughter, who was 28 weeks and 4 days pregnant.

3. Pursuant thereto, on 31st August 2023 the Medical Board submitted their report dated 30th August 2023. In view of certain observations made in the said medical report, we directed the Civil Surgeon to re-examine the petitioner's daughter as to whether the petitioner's daughter was medically fit for termination of her pregnancy, physically and mentally and accordingly submit a report.

4. Accordingly, the learned AGP had tendered a report of the committee dated 31st August 2023 duly signed by the Civil Surgeon and other Doctors. In view of the medical report so submitted, we allowed the termination of the pregnancy of the petitioner's daughter.

5. Accordingly, the petition was disposed of and the matter was kept today for recording compliance.

6. Learned AGP has tendered a report of the Civil Surgeon, Satara wherein it is stated that the abortion was performed on 3rd September 2023 and that a male child was born with intra uterine death and that the health of the petitioner's daughter is in good condition. The said report is taken on record.

7. At this stage, in view of the grievance made by the learned counsel for the petitioner, we direct the District Legal Service Authority, Satara as well as the Child Welfare Committee, Satara to ensure that the petitioner's daughter gets financial support and other support as mandated in law. The DLSA, Satara and CWC, Satara to also inform the schemes available to the victims of sexual assault and provide all assistance, as required to the petitioner/victim.

All parties to act on the authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.