



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL WRIT PETITION NO. 11266 OF 2023

XYZ and Anr. ...Petitioners
Versus
The State of Maharashtra through
The Principal Secretary, Public Health Dept. ...Respondent

Ms. Gauri Velankar for the Petitioners.

Mrs. M.P.Thakur, A.G.P for the Respondent-State.

*CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.*
DATE : 11th SEPTEMBER, 2023

P.C. :

1. Vide order dated 7th September, 2023, we had directed the Dean, KEM Hospital, Parel, Mumbai, to constitute a Medical Board for examination of the petitioner No.1, who had sought termination of her pregnancy of 29 weeks, on the ground that the fetus was suffering from 'Ventricular Septal Defect'.

2. Learned A.G.P has tendered a communication, addressed to her by the KEM Hospital, Parel, Mumbai. The said communication

is taken on record. In the said communication, it is stated that whilst examining the petitioner No.1, when they conducted the ultrasound on 8th September, 2023, they noticed that the fetus was dead. In view of the same, learned A.G.P states that the process of the termination of the pregnancy is done having regard to the fetus death.

3. In view of the aforesaid, nothing survives for further consideration in the aforesaid petition.

4. The petition is accordingly disposed of.

GAURI GODSE, J.

REVATI MOHITE DERE, J.