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

WRIT PETITION NO. 15491 OF 2023

XYZ

... Petitioner

vs.

The State of Maharashtra and Ors

... Respondents

Ms. Kanchan T. Pawar, for the Petitioner.

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

Mr. Kailash Harijan, for the Petitioner No.2. present in person.

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

DATED : 14th DECEMBER, 2023

P.C. :-

1. Pursuant to our order dated 11th December 2023, the Medical Board has submitted its report in a sealed envelope. The said envelope is opened. Perused the report dated 13th December 2023. The petitioner's wife who is suffering from stage four cancer was examined by the Medical Board.

2. The committee has opined, that the patient being a case of advanced, widespread Gall Bladder Carcinoma and since Sir. J.J. Hospital lacks an oncology unit, in the best interest of the patient, it was decided to expedite the medical board process to

the maximum extent possible with the objective of returning the patient back under the safe roof, with supervision and care of the TATA Memorial Hospital and K.E.M Hospital, which not only neighbours by proximity but are also well equipped to deal with any emergent situation that may and can arise at any given time considering the nature and extent of the patient's disease. The said report is taken on record.

3. The contents of the Report have been explained to the patient and the relatives. The committee has further opined that after thorough investigation and examination of the patient, the committee has found that at present, the patient aged 33 years old, G3P1L1MTP1 with previous 1 LSCS with by date 26+5 by scan 27+4(6+4) weeks of gestational age suffers from multiple liver metastases secondary to carcinoma gallbladder; and that the disease is a disseminated malignancy with high tumor grade wherein the life expectancy of the patient is less than 3-6 months. The committee has further opined that in view of the current diagnosis, the survival of the patient and/or the fetus till the term is unlikely and is associated with a very high risk of

both, maternal and fetal morbidity and mortality. The committee further opined that the mother is at terminal stage of the disease with extremely poor survival outcome, it is advisable to terminate the pregnancy for relatively better outcome of the mother, however, the procedure of termination is wrought with very high risk owing to her current condition.

4. We have handed over the copy of the said report to the learned counsel for the petitioner and the learned AGP. The learned counsel for the petitioner explained what is stated by the Medical Board in its opinion dated 13th December 2023, to the petitioner.

5. Having regard to what is stated in the report and the life expectancy of the patient which is stated to be between 3-6 months, learned counsel for the petitioner on the instructions of the petitioner, who is present in the court, does not press the petition.

6. Accordingly, the petition stands disposed of as not pressed.

(GAURI GODSE, J.)

(REVATI MOHITE DERE, J.)