IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12861 OF 2024

XYZ,
Aged 20 years old,
residing at 501, Acacia,
Hiranandani Estate,
Patlipada, Near Municipal
Commissioner Bungalow,
Off Ghodbunder Road,
Thane West – 400607 .....Petitioner

Vs.

The State of Maharashtra,
Through the Principal Secretary,
Public Health Department,
Madam Cama Road,
Mantralaya Road,
Mumbai- 400 032 .....Respondent

Ms. Meenaz Kakalia, for the Petitioner.
Smt. M.P. Thakur, AGP for Respondent-State.

CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.
DATE : 9th September, 2024.

P. C.:-

1) The Petitioner is an adult. She is a 20 years old student, and has found herself in the 25th week of pregnancy arising out of a consensual relationship with her partner. She is unwilling to continue with the pregnancy for the reasons mentioned in the Petition.

2) Having regard to these circumstances, we request the Authorities of J. J. Group of Hospitals and Grant Medical College, Mumbai to constitute

a Medical Board in terms of the Medical Termination of Pregnancy (Amendment) Act, 2021 (MTP Act) as prescribed by Section 3(2D) of the Act, to examine the Petitioner.

3) The Petitioner will present herself before the Medical Superintendent of the Hospital on 10th September 2024 at 11.00 am. We request the Board to examine the Petitioner and submit a copy of its Report to this Court at the earliest considering the urgency and latest by 13th September 2024. The Board is required to certify whether the Petitioner is fit to undergo the procedure. We would also request the Medical Board to opine on the physical and mental health of the Petitioner as well as the impact and repercussions of the continuance/termination the pregnancy.

4) All concerned parties will act on the production of the authenticated copy of this order.

5) List the Petition on 13th September 2024 at 10:30 am for further directions.

(DR NEELA GOKHALE, J.) (A.S. GADKARI, J.)

Signed by: Raju D. Gaikwad
Designation: PS To Honourable Judge
Date: 09/09/2024 18:02:35