

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 14128 OF 2025

X. Y. Z.

...Petitioner

Versus

State of Maharashtra

...Respondent

Mr. S.A. Rizavi, advocate for the Petitioner.

Mr. P.P. Kakade, Addl. G.P. a/w. Mr. Aditya R. Deolekar, AGP for
Respondent – State.

CORAM: MANJUSHA DESHPANDE, J.
VACATION COURT

DATED: 31ST OCTOBER 2025.

PC:-

1. Pursuant to the order passed by this Court on 24th October, 2025, a report is submitted by Superintendent of Sir J.J. Group of Hospitals and Grant Government Medical College, Mumbai i.e. the Competent Board constituted under the Medical Termination of Pregnancy Act, 1971. The Committee has opined that, the clinical examination suggest that the Petitioner is carrying pregnancy of 26 weeks and one day and there is no gross congenital anomaly in the foetus. Therefore, the Committee has not recommended medical termination of pregnancy and there is no ground for termination of pregnancy within the existing statutory framework. It has also opined that if this Court is of the view that, continuation of pregnancy would have a grave social anguish to the Petitioner while continuing an unwanted pregnancy, this Court may consider

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permitting termination of pregnancy at any Government Recognized Centre of choice of the Petitioner with directives to that effect.

2. The Petitioner is personally present today. She has categorically submitted that, she does not want to continue with the pregnancy and she has also filed an affidavit in support of the Writ Petition. Dr. Sandeep Suhas Pophale, Associate Professor, Department of Obstetrics And Gynecologist and Head of the Department of Grant Government College and Sir J.J. Group of Hospitals, Mumbai, is also present. They have reiterated their opinion given in the report dated 28th October, 2025. Dr. Sandeep Suhas Pophale submits that although in the final report of the Committee, it is not mentioned, however, in his observations after examining the Petitioner, he has mentioned that, if the pregnancy is terminated now, the foetus has a probability of being born alive and will require intensive neonatal care. The foetus may be affected by the complication due to its preterm status.

3. The final relief claimed by the Petitioner in the present Writ Petition is permission to terminate the pregnancy under Section 3(2)(b) of the Medical Termination of Pregnancy Act, 2021. Though report dated 28th October, 2025 is filed in the Registry, it was placed before the Vacation Court on 29th October, 2025.

4. Considering that this Court being a Vacation Court is, empowered under Chapter I Rule 5 of the Bombay High Court Appellate Side Rules, 1960 only to grant interim relief, it would be appropriate to list the matter before the Regular Court.

5. Though I am aware that the pregnancy of the Petitioner is at advance stage, and time is running against her, considering the limits and the powers to be exercised by the Vacation Court Judge, the matter shall be listed on priority basis before the Regular Court on **3rd November, 2025** for passing appropriate orders. To be listed under the caption, “For Directions”.

(MANJUSHA DESHPANDE, J.)