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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 6045/2026**

RASHMI ARYA

.....Petitioner

Through: Ms. Rashmi Nandakumar, Ms.
Yashmita Pandey, Ms. Mallika
Agarwal, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Avshreya Pratap Singh Rudy,
Adv. (CGSC) Ms. Usha Jamnal, Ms.
Nyasa Sharma, Mr. Ankit Khatri,
Advocates for R-1.
Mr. V. S. R. Krishna and Mr. V
Shashank Kumar, Advocates for R-
4/AIIMS.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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08.05.2026

1. In terms of the detailed medical examination of the petitioner, the medical board has not suggested for termination of pregnancy. The justification for the said decision is extracted as under:-

“Considering severe IUGR in the fetus, it is understandable that the fetus has a guarded prognosis. As per the investigation, presently there is no obvious genetic cause for the FGR. It is expected that in its natural course, there is a high probability that the fetus may have an intrauterine demise in the coming few weeks.

Termination of pregnancy is detrimental for the mother at this gestation. She has a previous Cesarean section which presents a challenging situation for the mother. This involves a failure of medical termination,



risk of uterine rupture and preterm Cesarean section which will have implication on the future reproductive outcomes.

On the other hand, if natural course is followed, the uterus is more likely to respond to induction of labour. It is to be emphasized that intrauterine fetal demise does not put the mother in any immediate jeopardy.

It is advisable to follow up weekly with regular scans and antenatal visits at AIIMS or their choice of hospital. The same has been discussed in detail with the parents and they are willing for the same.”

2. The said report is read over by learned counsel for the petitioner. Since, the aforesaid justification is agreeable to the petitioner, therefore, the instant petition stands disposed of.
3. The Court, however, directs respondent no.3 to place on record the steps, which have been taken pursuant to the observations made by the Court on 06.05.2026.
4. Let a copy of the present report be also furnished to Ms. Avshreya Pratap Singh Rudy, CGSC for onwards transmission to respondent no.3.
5. The respondent No.3 to explain why the examination of the petitioner had not taken place in the desired manner. Depending upon the same, Court shall consider to pass appropriate order.
6. Let an affidavit *qua* the aforesaid aspect be filed before the next date of hearing.
7. For the aforesaid limited purpose, list this matter on 13.05.2026.

PURUSHAINDR KUMAR KAURAV, J

MAY 8, 2026

Nc