

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 4272 OF 2020

DWARKA W/O POPAT MISAL

V/S.

THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Petitioner: Mr. Ajit Gaikwad Patil

AGP for Respondent/State: Mr. S. J. Salgare

CORAM: S. V. GANGAPURWALA, J.

DATE: 30th MARCH, 2020

PER COURT:

1. The petitioner seeks termination of pregnancy. The petitioner was referred to the expert committee at Government Medical College and Hospital, Aurangabad. The expert committee examined the petitioner and submitted the report. The report reads thus-

"The committee has thoroughly examined Popat Misal @ Dwarka D/o. Sainath Sonawane and her obstetric Sonographic report. On obstetric ultra-Sonography dated 27-03-2020 done at GMC, Aurangabad. Following findings are noted.

A. Length of Pregnancy: Gestational Age of 21 weeks 00 days.

B. Single live intrauterine fetus with anencephaly and dilated left renal pelvis and left ureter in entire extent (Hydro ureter).

Taking into consideration the above findings there is substantial risk to the fetus if born. Hence this committee recommends termination of this pregnancy. This patient is a known case of Hypertension on irregular

treatment with no details available. Pregnancy can be terminated at any Government recognized centre of choice of patient with due risk (over and above routine risk due to Hypertension and its associated complications, which is an acceptable risk). The risk is explained to her and her relatives. An affidavit of the acceptance of the said risk is to be submitted to the Hon. High Court by the concerned. "

2. The committee has opined that there is substantial risk to the fetus if born. The committee recommends termination of pregnancy.

3. The risk involved is explained to the petitioner. The learned counsel for the petitioner, on instructions submits that the petitioner is explained of the risk involved in the termination of pregnancy and the petitioner would proceed with termination of pregnancy.

4. The petitioner is permitted to terminate the pregnancy at any Government recognized centre.

5. Authenticated copy be given.

[S. V. GANGAPURWALA, J.]

marathe