

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.14494 of 2018

Kiran Kailas Gavhande and ors .. Petitioners
Versus
Union of India through the Secretary
and ors .. Respondents

...

Ms.Neha Philip for the petitioners.
Ms.Shilpa Kapil for respondent nos.1 and 3.
Mr.P.G. Sawant AGP for the State.

CORAM: SMT. BHARATI H.DANGRE, JJ.
(Vacation Court)
DATED : 28th DECEMBER, 2018

P.C:-

1 In pursuance of the order dated 20th December 2018, the petitioner no.1 was subjected to a medical examination and on 26th December 2018, a report from the B.J. Government Medical College and Sassoon General Hospital, Pune was received. The medical team of experts has opined that the pregnancy be terminated since it poses a risk and if the baby is given birth to, it will require multiple surgeries with high morbidity and mortality rate.

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2 On 26th December 2018, the matter was directed to be placed today so that the intended parents are apprised of the said report and accord their consent. Shri Rajendra Jaywantrao Pawar- the intending father - is present in the Court. He categorically makes a statement that he has gone through the report from the Medical College and Sassoon General Hospital, Pune and in light of the said report, and the opinion of the expert team of doctors is giving consent to the pregnancy of the petitioner no.1 to be terminated.

3 In such circumstances, since the expert team of doctors comprising the Heads of various departments have opined that there are multiple cardiac complication in the baby and that the pregnancy be terminated, this Court grants permission to terminate the pregnancy of the petitioner no.1. The learned AGP, on instructions, makes a statement that the petitioner no.1 can be admitted to the B.J. Government College and Sassoon General Hospital, Pune tomorrow early in the morning and then the team of doctors would immediately

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commence the process of terminating the pregnancy since continuation of the said pregnancy even by a day would involve high risk to the petitioner no.1.

In such circumstances, the petitioner no.1 is directed to report to the Hospital tomorrow at 8.00 am and direction is issued to the Government Medical College and Sassoon Hospital to proceed with the termination of pregnancy of petitioner by completing the necessary formalities.

With the said direction, writ petition stand disposed of.

(SMT. BHARATI H. DANGRE, J.)

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