

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION (L) NO. 36895 OF 2018

“X” ,age 14, since minor, through
her mother and natural legal guardian
Manisha Hadale ... Petitioner

Versus

Union of India and Ors. ... Respondents

Ms. Meenaz Kakalia for the petitioner.

Mrs. Shruti Vyas “B” Panel counsel for respondent no. 2.

Ms. Pournima Awasthi for R. nos. 1 and 3.

Ms. Sheetal Mane for respondent BMC.

**CORAM : B.P. DHARMADHIKAKRI &
REVATI MOHITE DERE, JJ.**

DATE : JANUARY 03, 2019

P.C.:

Petitioner a minor victim of sexual abuse, is before this court through her mother seeking leave to terminate the pregnancy. This court has on 28/12/2018 received report from the JJ Hospital Mumbai in a sealed envelope. Report is taken on record as Exh. X. Respective counsel for the parties were permitted to go through the same.

2. The Experts have given their separate findings and jointly

advised for termination of the pregnancy which is about 24 weeks old. They have also pointed out that the termination carries risk as to the pregnant minor girl.

3. Counsel for the petitioner upon instructions states that the minor and her natural guardian (mother) are ready and willing to undergo the operation.

4. As such pregnancy itself is presumed to constitute grave injury to mental health, in these circumstances, we grant permission as requested.

5. Petitioner shall report at JJ Hospital by 5th January, 2019 where necessary procedure shall be carried out at the earliest.

6. Parties to act on authenticated copy of this order.

(REVATI MOHITE DERE, J.) (B.P. DHARMADHIKARI, J.)