

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

WRIT PETITION NO. 4478 OF 2015

MAHARASHTRA STATE BRANCH OF IRIA MSBIRIA, MUMBAI
VERSUS
UNION OF INDIA AND OTHERS

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Advocate for Petitioner : Mr. P.M.Shah Senior Counsel i/b
Mr. S.G. Chapalgaonkar
AGP for Respondents: Mr. S.G.Karlekar
ASG for Respondents 1,2 : Mr. S.B.Deshpande

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CORAM : R. M. BORDE & V.K. JADHAV, JJ.

Dated: May 05, 2015

PER COURT :-

1. The learned Assistant Solicitor General for the Union of India states on instructions that Rule 18-A (4)(ii) of *Pre-Conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Rules, 1996*, incorporated with effect from 28.1.2015 shall not be construed as a total prohibition on the appropriate authority to receive an application for renewal or fresh registration. The application shall have to be received and processed in accordance with rule 8 of the said Rules and decision thereon shall be communicated to the concerned doctor.

2. In view of the explanation furnished on behalf of the Union of India by the learned A.S.G., on instructions, no interim orders are necessary.

3. It would be open for the appropriate authorities in State to receive and decide the applications for renewal of registration or grant of registration without impeded by Rule 18 A(4)(ii) of Rules.

4. The applications already disposed of citing the provisions of Rule 18 A(4)(ii) and such of those applications which have not been decided, and pending consideration, shall be decided by respective appropriate authorities considering the merits of the application.

5. Stand over to 16.6.2015.

(**V.K. JADHAV, J.)**

(**R. M. BORDE, J.)**

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aaa/-