

HIGH COURT OF CHHATTISGARH, BILASPUR**WP (Cr.) No.77 of 2016**

Rakesh Verma S/o Purushottam Verma, aged about 21 years, R/o Village Khapari, Police Station Nandani, Tahsil and District Durg, C.G.

---Petitioner

Versus

Geeta Verma D/o Rakesh Verma, Aged about 05 years (Minor), through Natural Guardian mother Janki Verma, D/o Mahanand Sen, Aged about 19 years, R/o Village Khapari, Police Station Nandani, Tahsil and District Durg (CG)

---Respondent

For Petitioner : Mr. Praveen Dhurandnar, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18/03/2016

1. Heard on admission.
2. Application filed by the petitioner for DNA test was allowed by the First Additional Principal Judge, Family Court, Durg on 17.4.2015 in MJC No.569/2014, but he could not deposit the necessary expenses for conducting DNA test and after managing requisite amount he made an application for depositing such amount, which was rejected by the Family Court on 15.2.2016 holding that such an application is to delay the trial of such family dispute.
3. Learned counsel for the petitioner would submit that the petitioner is an unemployed person and anyhow he has managed the amount required for conducting DNA test, therefore, delay occurred. He may be allowed to deposit the amount and order dated 15.2.2016 may be

set aside.

4. I have heard learned counsel for the petitioner.

5. Since order to conduct DNA test has already been passed on 17.4.2015, considering the financial hardship projected by the petitioner and the fact that respondent's evidence is fixed for 29.3.2016, it would be expedient to condone the delay in depositing the cost for DNA test subject to cost of ₹2500/- payable to the respondent Ku.Geeta Verma on the next date of hearing. On such deposit/payment of cost to the respondent, the Family Court shall ensure the compliance of the order dated 17.4.2015. The respondent is at liberty to move an application for modification/review of this order.

6. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-