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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-4162-2016 (O&M)

Date of decision : 14.07.2016

Sushila @ Sheela

... Petitioner

Versus

Charan Kaur (deceased) through LRs and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Munish Gupta, Advocate
for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

AMIT RAWAL, J. (ORAL)

CM-13460-CII-2016

Prayer in this application is for preponing the hearing of the revision petition owing to the effect that there is already order giving the blood sample of Sarwan Singh for the purpose of the conducting the DNA test.

Explanation has been given for non-appearance on the previous date of hearing that learned counsel could not appear before the Court as as he was struck in regular case before the Hon'ble First Division Bench.

For the reasons stated in the application, the hearing of the

revision petition is hereby preponed and the same is taken on board.

CM stands disposed of.

CR-4162-2016

The petitioner-defendant is aggrieved of the impugned order dated 14.03.2016, whereby the application of the respondent(s)-plaintiff(s) for giving the blood sample for the purpose of the conducting the DNA of Sandeep Singh and signatory of Power of Attorney (Ex.D-1) dated 05.02.2009, who is none-else, but is Sarwan Singh, aged 80 years and living in Bihar.

Mr. Munish Gupta, learned counsel appearing on behalf of the petitioner-defendant submits that his client is not averse to giving blood sample, but on earlier occasion, an application was moved to examine him through Local Commissioner owing to old age and frail frame. For taking blood sample, a Medical Lab Technician either local one from Bihar or a Medical Lab Technician from the concerned area where the case is pending, can be appointed as Local Commissioner, who can be directed to take the blood sample of Sarwan Singh for the purpose of conducting the DNA test.

In view of the contents of the application which are supported by an affidavit, the impugned order dated 14.03.2016, under challenge, is hereby affirmed, but with a rider, that since Sarwan Singh cannot come for giving the blood sample from Bihar to Hoshiarpur (Punjab), Local Commissioner i.e. a local Medical Lab Technician or a Medical Lab Technician from the concerned area or from concerned station, where he is residing, is directed/appointed for obtaining his blood sample for compliance of the order, under challenge.

As regards the DNA test, there is no order of modification.

With the aforesaid observations, the impugned order dated 14.03.2016 of the trial Court is hereby modified and the revision petition in aforesaid terms stands disposed of.

14.07.2016
yogesh

(AMIT RAWAL)
JUDGE