

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
WP (227) No. 65 of 2017

Devendra Kumar Soni S/o Late Shri Dashrath Prasad Soni, aged about 43 years, R/o Village-Baloda, Tahsil-Baloda, District-Janjgir-Champa (CG)
----- Petitioner

Versus

Smt. Seeta Soni D/o Shri Vijay Kumar, aged about 30 years, R/o Village – Barpali Sargbundiya, District-Korba (CG)
----- Respondent

For Petitioner	:	Mr.Vaibhav A. Goverdhan, Advocate
For Respondent	:	Mr.Punit Ruparel, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

4/7/2017

1. The petitioner has filed this writ petition challenging the order dated 23.12.2016 passed by the Family Court, Janjgir by which the petitioner's right to examine Dr.Satish Shrivastava has been closed.
2. Learned counsel for the petitioner would submit that the order passed by the Family Court, Janjgir is unsustainable and bad in law.
3. Since the petitioner's application to examine Dr.Satish Shrivastava has already been allowed on 17.4.2014, therefore, it could not have been rejected by order dated 23.12.2016 as summons were got issued by the petitioner time to time for appearance of Dr.Satish Shrivastava. Even otherwise, examination of the doctor is necessary. Therefore, the impugned order is set aside subject to payment of cost of ₹1000/- to the respondent/wife.
4. The writ petition is allowed to the extent indicated hereinabove. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge