

CWP-12770-2016 (O&M)
Date of Decision : 26.04.2017

Ambrish Kaur Brar

.....Petitioner

versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Kanwaljeet Singh, Senior Advocate with
Mr. Armaan Midha, Advocate
for the petitioner.

Mr. Inder Pal Goyat, Addl.A.G., Punjab.

M.M.S. BEDI, JUDGE (ORAL)

It has been informed by learned counsel for the petitioner that the petitioner has already been granted the registration for Ultrasound Genetic Clinic by Appropriate Authority, Khanna. However, the request of the petitioner for grant of registration for Genetic Counselling Centre and Genetic Clinic has not been finally adjudicated upon by the Appropriate Authority at District Level exercising the powers under Rule 19 (2) of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Rules, 1996.

With the assistance of learned counsel for the petitioner, I have gone through the memorandum of appeal Annexure P-6 and the recommendation of District Appropriate Authority, Ludhiana but the decision has been taken by the Sub-Divisional Appropriate Authority vide Annexure P-10 dated 27.05.2016. A statutory appeal is maintainable which is required to be considered by the Appropriate Authority at the District Level under Rule 19 (2) of the above said rules,

since the appeal has not been decided by the statutory Appropriate Authority, I deem it appropriate, in the interest of justice, to dispose of this petition at this stage with a direction to the Appropriate Authority exercising appellate powers under Rule 19 (2) of the aforesaid Rules to dispose of the statutory appeal, by passing a speaking order, within a period of 30 days after receipt of certified copy of the order. In case need be, opportunity of hearing may be granted to the petitioner to explain the circumstances and to put forth any subsequent events to the notice of the said authority.

(M.M.S. BEDI)
JUDGE

26.04.2017
Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No