

102-RA-LP-32-2017 in LPA No. 2044-2014

DIVYA JYOTI JAGRITI SANSTHAN V. STATE OF PUNJAB AND ORS.

Present: Mr.Rakesh Dwivedi, Sr. Advocate
with Ms. Sanskriti Pathak, Mr. Himanshu Munshi and
Mr. Jagjit Singh, Advocates for the applicant.

The review petitioner seeks the review of our order dated 05.07.2017
particularly aggrieved of the direction contained therein, extracted here below:-

“ *The prayer of Dalip Kumar Jha to conduct a
DNA Test would also be left to him to be raised, if he
chooses to take recourse to a civil suit and we make it
clear that if such a course is adopted by Dalip Kumar
Jha, the Sansthan will not resist the handing over of a
DNA sample from the body of Ashutosh Ji Maharaj, as
may be determined by any procedure to be determined
by the medical professionals.* ”

The objection stems from the perception of denial of their right to
object in the event of Sh.Dalip Kumar Jha taking recourse to such a course in a
civil suit.

After hearing the learned counsel for the petitioner, we see no reason
to revisit our order in this regard as the review petitioner is merely a custodian of
the physical being of the spiritual leader and cannot obstruct a personal right of
the individual named above to establish his claim to paternity.

No ground for review of the order dated 05.07.2017 has been made
out.

Dismissed.

(MAHESH GROVER)
JUDGE

(SHEKHER DHAWAN)
JUDGE

04.08.2017
mamta