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

**Civil Revision No.6218 of 2018 (O&M)
Date of Decision: 17.09.2018**

SABAR SINGH AND ORS

.....Petitioners

Vs

SANDEEP KUMAR AND ANR

....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Kanwar Pahul Singh, Advocate
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

[1]. Petitioners have assailed the order dated 21.08.2018 passed by the Civil Judge (Jr. Divn.) Amritsar, whereby the application filed by the petitioners for seeking permission to get DNA test of respondent No.1 was dismissed.

[2]. Plaintiffs seek possession of the property by way of filing a suit for possession on the ground that they were dispossessed forcibly by the defendants.

[3]. Defendants have refuted the plea of the plaintiffs on the ground that defendant No.1 was in possession of the suit property on the strength of sale deed dated 08.12.2007.

[4]. I have considered the submissions made by learned

counsel for the petitioners.

[5]. For proving the case by the plaintiffs, parentage of defendant No.1 is not material. Even if, defendant No.1 was not the son of deceased Samuel and Grace, the same shall not have any effect on the merits of the case.

[6]. Plaintiffs have to prove their case by leading substantive evidence. Plaintiffs have already closed their evidence and thereafter the defendants have also closed their evidence. The case is fixed for rebuttal and arguments.

[7]. In view of aforesaid, at such a belated stage, the plea for DNA profile of defendant No.1 that too on irrelevant consideration cannot be entertained. This revision petition is accordingly dismissed.

September 17, 2018

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No