

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (Art. 227) No.307 of 2019

Mohd Riyazul Haq @ Arif Siddiqui, S/o Late Mohd. Habibul Haq Siddiqui,
Aged about 77 years, R/o D-8, Street No.06, Sriram Nagar, Phase-I, Raipur,
Distt. Raipur (C.G.) & Risaipara, Dhamtari, Tehsil & Distt. Dhamtari (C.G.)
(Plaintiff)
---- Petitioner

Versus

M. Rizwan @ Nahid, S/o Late Syed Imdad Ali, Aged about 50 years, R/o
Risaipara, Opp. Bhagwati Backery, Dhamtari, Tahsil and Distt. Dhamtari
(C.G.)
(Defendant)
---- Respondent

For Petitioner: Mr. Adil Minhaj, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

10/04/2019

1. Heard on admission.
2. Learned counsel for the petitioner / plaintiff submits that second part of the order dated 27-3-2019 rejecting the application under Section 151 of the CPC for conducting DNA test of the parties was passed after adjourning the matter of 3-4-2019 and without hearing the parties, therefore it is without jurisdiction and without authority of law.
3. Be that as it may, the petitioner / plaintiff is at liberty to move application supported by affidavit by tomorrow itself to that Court and in that event, that Court will consider and decide the application expeditiously.
4. With the aforesaid liberty, the writ petition stands finally disposed of. No order as to cost(s).
5. A copy of this order be sent to the trial Court by e-mail and fax by today itself.
6. Certified copy today.

Sd/-
(Sanjay K. Agrawal)
Judge