

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WP227 No. 548 of 2019

Ram Singh Kariyam S/o Shri Gulab Singh Kariyam Aged About 40 Years
R/o Geeta Nagar, Dhanlaxmi Nagar, Bhanpuri, Police Station Khamtarai,
Raipur, Tahsil And District Raipur Chhattisgarh

---- **Petitioner**

Versus

Smt. Manpi Kariyam W/o Ram Singh Kariyam Aged About 33 Years R/o
Geeta Nagar, Dhanlaxmi Nagar, Bhanpuri, Police Station Khamtarai,
Raipur, Tahsil And District Raipur Chhattisgarh.

---- **Respondent**

For Petitioner	:	Mr. A.D. Kuldeep, Advocate
----------------	---	----------------------------

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

10.07.2019

1. Heard on admission of the writ petition.
2. By impugned order (Annexure P-1) dated 10.05.2019, the petitioner's application for conducting DNA test of his wife, his son and two daughters has been rejected by the learned Family Court
3. Learned counsel for the petitioner submits that learned Family Court is absolutely unjustified in rejecting the prayer for DNA test of his wife and children.
4. I have heard the learned counsel for the petitioner and perused the impugned order.
5. Learned Family Court has clearly recorded a finding that the petitioner has pleaded in the application of divorce that out of his wedlock with the respondent, they were blessed with two daughters and one son namely Bhumika, Hitika and Rishabh and, as such, there is no need for DNA test.

6. In my considered opinion, learned Family Court has rightly rejected the aforesaid application for conducting DNA test as it is admitted position on record that two daughters and one son have born out of applicant's wedlock with the respondent. I do not find any illegality or perversity in the order impugned warranting interference under Article 227 of the Constitution of India.
7. Accordingly, the writ petition is liable to be and, is hereby dismissed.

**Sd/-
(Sanjay K. Agrawal)
Judge**