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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 3443/2019

DR. ASHUTOSH KUMAR

..... Petitioner

Through: Mr Pratap Shanker and Mr Pushkar
Karni Sinha, advocates.

versus

GOVT. OF NCT OF DELHI AND ORS.

.... Respondents

Through: Mr Anuj Aggarwal, ASC, GNCTD
with Mr G. C. Shyamsundar,
Advocates for R-1, R-2 and R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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05.04.2019

CM Nos.15802/2019 & 15803/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 3443/2019 & CM No. 15801/2019

2. The petitioner has filed the present petition, *inter alia*, praying that directions be given to respondent no.2 (State Appropriate Authority) to adjudicate the petitioner's appeal within the statutory period of 60 days. Respondent no.3 (District Appropriate Authority (East)) had passed an order dated 25.01.2019 cancelling the PNDDT registration and sealing the Ultrasonography Centre being operated by the petitioner. Aggrieved by the aforesaid order, the petitioner had preferred an appeal under Rule 19 of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Rules, 1996. The petitioner's grievance is that although

considerable period since have elapsed, the petitioner's appeal has not been heard.

3. The learned counsel appearing for the petitioner had also referred to Rule 19(3) of the aforementioned Rules, which require the Appellate Authority to decide the appeal within a period of 60 days of its receipt. In the present case, the petitioner had filed an appeal on 19.03.2019 and the said statutory period is not over as yet.

4. In the aforesaid circumstances, the present petition is disposed of by directing the Appellate Authority to dispose of the petitioner's appeal as expeditiously as possible (if not already done) and preferably within a period of 30 days from today.

5. The pending application is disposed of.

VIBHU BAKHRU, J

APRIL 05, 2019
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