

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

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**CR No. 7889 of 2019
Date of decision : 13.1.2020**

Raja Ram Sharma

.....Petitioner

Vs.

Meena Rani

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. S.K. Tripathi, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Article 227 of the Constitution of India for setting aside the impugned order dated 3.10.2019 passed by the learned Additional Principal Judge, Family Court, Faridabad, vide which the application seeking DNA Test of the petitioner and minor daughters has been dismissed.

Learned counsel for the petitioner submits that in the divorce petition filed by the petitioner, the petitioner had filed an application for DNA Test of the daughters, whose paternity the petitioner is questioning. The petitioner has claimed that the said minor daughters are not his natural daughters. The said application is declined by the Court below.

Having heard learned counsel for the petitioner and having perused the file, this Court does not find any substance in the petition. Although learned counsel for the petitioner has submitted that he has already taken the plea in the divorce petition qua the said daughters being not his daughters and the daughters being product of adultery by respondent/wife,

however, the petitioner would have been at liberty to prove that fact by the other relevant evidence; and by showing the circumstances prevailing at the relevant time. The DNA Test for disputing legitimacy of children cannot be resorted to as a matter of routine. Hence, this Court does not find any legality or perversity in the order passed by the Court below.

Finding no merit in the petition, the same is dismissed.

(RAJBIR SEHRAWAT)
JUDGE

13.1.2020

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No