

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

208

CWP-19210-2017 (O&M)
Date of Decision: 23.01.2024

DISTT. APPRO. AUTH. UNDER PC AND PNDDT ACT, THR ITS
CHAIRPERSON-CUM-CIVIL SURGEON, KARNAL

... Petitioner

VERSUS

STATE APPROPRIATE AUTHORITY UNDER PC AND PNDDT ACT
THR ITS CHAIRMAN CUM DIRECTOR GEN. HEALTH SER.PKL

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Pankaj Mulwani, DAG, Haryana
for the petitioner.

Mr. H.P.S. Sandhu, Mr. Abhishek Sethi and
Mr. Adit Vikramaditya Garg, Advocates
for respondent No.2.

VINOD S. BHARDWAJ, J. (ORAL)

CM-16352-CWP-2017

Allowed as prayed for subject to all just exceptions.

The reply on behalf of respondent No.2 is ordered to be taken on
record. Registry is directed to tag the same at appropriate place of the paper
book and page mark the same.

MAIN CASE

The present petition has been filed for quashing of order dated
28.09.2016 passed by the State Appropriate Authority (under PC & PNDDT Act,
1994) Haryana at Panchkula.

Learned counsel for the petitioner-State has submitted that vide Notification dated 21.11.2017, the Additional Chief Secretary/Principal Secretary, Government of Haryana in the Department of Health has been appointed as Appellate Authority under the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 and the Rules of 1996 framed thereunder. It is contended that he has instructions to withdraw the present petition so as to take recourse to the remedy of appeal as per the abovementioned Act. He further seeks extension of time to deposit the costs imposed vide order dated 20.09.2023.

Counsel for the respondents has no objection to the same.

Disposed of as withdrawn with liberty to the petitioner to pursue his remedy in terms of the Notification dated 21.11.2017.

The costs, imposed vide order dated 20.09.2023, be also deposited within a period of one week from today as undertaken by the learned State Counsel for the petitioner.

All other misc. application(s), if any, also stand(s) disposed of accordingly.

JANUARY 23, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No