

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5588 OF 2017
[@ SPECIAL LEAVE PETITION (C) NO. 34505 OF 2016]

ANITA W/O EKNATH HATKAR Appellant (s)

VERSUS

ADDITIONAL COMMISSIONER NASHIK AND ORS. Respondent(s)

J U D G M E N T

KURIAN, J.

1. Leave granted.
2. The appellant had approached this Court, aggrieved by the proceedings initiated against her for disqualification on the ground of having three children, the third child having born after the cut-off date.
3. On 05.12.2016, the Court passed the following order on the basis of submission made by the learned counsel for the appellant :-

"Learned counsel for the petitioner submits, on instruction, that the child by name Amol Anna Hatkar is not born from the appellant. He further submits that the appellant is prepared for a DNA test. In view of the above submissions, issue notice, returnable on 3.2.2017.

We direct the petitioner and the child by name Amol Anna Hatkar to have a DNA test

conduct within a period of eight weeks from today and produce the reports before the Court.

Till the next date of hearing, there shall be stay of operation of the disqualification."

4. The Forensic Science Laboratory, Mumbai, has forwarded a report to this Court and going by the report, "Eknath Govind Hatkar and Anita Eknath Hatkar are concluded to be the biological parents of the child Amol Anna Hatkar".

5. In the above circumstances, we do not find any merit in this appeal, which is, accordingly, dismissed.

No costs.

.....J.
[KURIAN JOSEPH]

JUDGMENT

.....J.
[R. BANUMATHI]

New Delhi;
April 25, 2017.