



2025:DHC:3399-DB



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

Date of decision: 07.05.2025

+ MAT.APP.(F.C.) 172/2025
SUMITRA

.....Appellant

Through: Mr.V.K. Sharma, Mr.R.A.
Sharma, Advs.

versus

INDER SINGH

.....Respondent

Through: Mr.Anurag Pratap, Mr.Rishiraj,
Advs. with respondent with
sons and daughter.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 27599/2025 (Exemption)

1. Allowed, subject to just exceptions.

CM APPL. 27597/2025

2. For the reasons stated in the application, the delay in filing the present appeal is condoned.

3. The application stands disposed of.

MAT.APP.(F.C.) 172/2025 & CM APPL. 27598/2025

4. This appeal has been filed, challenging the Orders dated 30.11.2024 and 18.01.2025 passed by the learned Family Court-02, South East, Saket Courts, New Delhi (hereinafter referred to as 'learned Family Court') in HMA No.160/2019 titled as ***Inder Singh v.***



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Sumitra.

5. By the Impugned Order dated 30.11.2024, the learned Family Court had directed the parties herein and their son to appear before the Trauma Centre, AIIMS on 10.12.2024 for a DNA Test to be conducted.

6. By the subsequent Impugned Order dated 18.01.2025, the learned Family Court took on record the report of the said test received from the Trauma Centre, AIIMS.

7. It is the case of the appellant that the Impugned Orders are liable to be set aside inasmuch as the DNA Test could not have been directed in view of various admissions of the respondent on the parentage of the child.

8. In the peculiar facts of the present case, however, we do not find any merit in the present appeal.

9. The learned counsel for the respondent, who appears on advance notice of this appeal, has drawn our attention to an earlier Order dated 11.10.2023 passed by the learned Family Court, wherein a plea of the appellant herself giving her no objection to a DNA Test being conducted has been recorded. He also draws our attention to the paragraph 7 of the reply filed by the appellant to an application of the respondent praying for a DNA Test to be conducted on the son, wherein, again the appellant has given her consent for the DNA Test to be conducted from a government lab. The learned counsel for the respondent further submits that the samples for the DNA Test were also given voluntarily, not only by the appellant but also by the son.

10. Given the above facts, which are not disputed, we do not find



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any reason to interfere with the Impugned Orders.

11. As far as the question of admission of the respondent is concerned, it would be a matter to be considered by the learned Family Court on hearing the parties. We need not give any opinion on the same in the present appeal.

12. The appeal and the pending application are accordingly dismissed.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MAY 7, 2025/Arya/ik

Click here to check corrigendum, if any