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**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**R/SPECIAL CIVIL APPLICATION NO. 10400 of 2021**

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STUTI RAKESH PAINTER  
Versus  
STATE OF GUJARAT

=====

**Appearance:**

NILAY H PATEL(7856) for the Petitioner(s) No. 1,2,3  
MS MANISHA LUV KUMAR, GP assisted by the LEARNED AGP MS.  
AISHWARYA GUPTA for the Respondent(s) No. 1,2

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**CORAM:HONOURABLE MR. JUSTICE ASHUTOSH J. SHASTRI**

**Date : 20/07/2021**

**ORAL ORDER**

1. This petition was to be circulated during the course of the day upon mentioning at 2.30 p.m., in view of extraordinary circumstances of condition of husband of petitioner No.1, which has stated to have been deteriorated and few hours are stated to be crucial. Keeping in view such extraordinary circumstance to avoid creation of irreversible situation, the Court has permitted the petition to be circulated.

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2. Heard learned advocate Mr.Nilay H. Patel appearing for the petitioners.

3. **Notice**, returnable on **23<sup>rd</sup> July, 2021**. Learned Assistant Government Pleader Ms.Aishwarya Gupta waives service of Notice on behalf of respondent-State authority.

4. In the meantime, the respondent No.2 is directed to conduct IVF/ART procedure for collection of samples from the body of Shri Dhruv Kumar Patel, the husband of petitioner No.1 and the said sample shall be stored at an appropriate place as per the medical advice.

5. This ad interim relief is granted in an extraordinary urgent situation before the Court and the same shall be subject to the outcome of the petition.

6. It is open for the petitioner to communicate this order telephonically to respondent No.2 and simultaneously, learned AGP Ms.Aishwarys Gupta is also requested to communicate the same to respondent No.2

Direct service qua respondent No.2 is permitted **today**.

KUMAR ALOK

(ASHUTOSH J. SHASTRI, J)