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

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**CR-5626-2023 (O&M)  
Date of Decision : 09.07.2025**

Khushboo Sharma

....Petitioner

VERSUS

Himanshu Gupta and Others

...Respondents

**CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Ivan Singh Khosa, Advocate for the petitioner.

Mr. Tushar Sharma, Advocate for respondent No.1.

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**VIKRAM AGGARWAL, J. (Oral)**

1. The present revision petition assails the order dated 17.07.2023 passed by the Court of Civil Judge (Junior Division), Gurugram vide which the application moved by the petitioner/plaintiff (Khushboo Sharma) under Section 151 of the Code of Civil Procedure, praying for the constitution of a medical board to assess the mental illness/fitness of the mother of the parties, was declined.

2. The petitioner/plaintiff instituted a suit seeking her appointment as legal guardian and next friend of her mother Mrs. Manju Gupta, who is residing with her son (brother of the petitioner) Himanshu Gupta (respondent No.1/defendant).

3. During the course of arguments, Sh. Tushar Sharma, learned counsel representing respondent No.1, on instructions from respondent No.1, fairly submits that respondent No.1 would have no objection if a medical board is constituted.

4. That being so, the present revision petition is disposed of with a direction to the Civil Surgeon, Gurugram to constitute a medical board to examine



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Smt. Manju Gupta and assess her mental illness/fitness. The same be done in accordance with law.

5. Keeping in view the fact that Smt. Manju Gupta is a patient of dementia, it would be advisable that she is examined at some place in the hospital where she feels comfortable and does not get unnerved.

6. Parties may appear before the Civil Surgeon, Gurugram either in person or through their counsel on **15.07.2025**. On the said date, the Civil Surgeon, Gurugram shall constitute a medical board and fix some further date for the examination of Smt. Manju Gupta, which shall not be later than two weeks from the date on which the parties put in appearance before the Civil Surgeon.

7. The report of the medical board be submitted directly to the Court where Civil Suit No. 2245 of 2025 titled as “Khushboo Sharma Vs. Himanshu Gupta and Others” is pending.

8. The revision petition is disposed of accordingly.

9. A copy of this order be sent to the Civil Surgeon, Gurugram, through the District and Sessions Judge, Gurugram for information and compliance.

July 9, 2025  
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**(VIKRAM AGGARWAL)**  
**JUDGE**

Whether speaking/non-speaking : Speaking

Whether reportable : Yes/No