

Court No. - 37

Case :- WRIT - C No. - 35481 of 2023

Petitioner :- Arti Arya @ Naziya Bano And Another

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Ajai Kumar Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Manoj Bajaj,J.

Petitioners have filed this writ petition under Article 226 Constitution of India for issuance of a writ in the nature of mandamus by way of directions to the official respondent no.2 to provide protection to them, as they have performed marriage on 01.10.2023 against the wishes of respondent no.4-father of petitioner no.1 and apprehend threat to their life.

Learned counsel for petitioners submits that petitioners are major and they have voluntarily entered into matrimonial alliance on the basis of their free will, consent and performed the marriage on 01.10.2023, but the respondent no.4 (father of petitioner no.1) is against this alliance, who has been extending threats to the petitioners. Learned counsel has referred to the representation dated 05.10.2023 (Annexure No.6) sent by registered post to Superintendent of Police, Kaushambi to assert that the request by petitioners for providing protection is pending consideration before the respondent no.2. He prays that necessary directions be issued.

At this stage, learned Standing Counsel appears on behalf of respondent nos. 1, 2 and 3.

Upon hearing the learned counsel for petitioners and without commenting on the validity or legality of the alleged marriage of the petitioners, this Court deems it appropriate to direct the respondent no.2, Superintendent of Police, Kaushambi to look into the grievance of the petitioners submitted through the representation dated 05.10.2023 (Annexure No.6) as well as existence of alleged threat and shall take a decision in accordance with law.

It is further clarified that in case any case has already been registered at the instance of respondent no.4 against the petitioners, in that event this order shall not be construed as an impediment to the proceedings of the said case.

With these observations, the writ petition is ***disposed of.***

Order Date :- 1.11.2023/Vipasha