

GAHC010275752023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/7121/2023

OLINGSON KONGWANG
S/O- BELJUM LAMIN, RESIDENT OF VILL. MATHURAPUR, P.O.
JIBANGRAM, P.S. DHOLAI, DIST.- CACHAR, ASSAM

VERSUS

THE STATE OF ASSAM AND 4 ORS
REPRESENTED BY PRINCIPAL SECRETARY TO THE GOVERNMENT OF
ASSAM, REVENUE AND DISASTER MANAGEMENT (REGISTRATION)
DEPARTMENT, DISPUR, GHY-06

2:THE INSPECTOR GENERAL OF REGISTRATION
ASSAM
RUPNAGAR
GUWAHATI - 32

3:THE REGISTRAR GENERAL OF BIRTHS
DEATHS AND MARRIAGES
ASSAM
RUPNAGAR
GUWAHATI-32

4:THE DEPUTY COMMISSIONER
CACHAR
PIN- 788710

5:THE DISTRICT REGISTRAR (REGISTRATION)
CACHAR
SILCHA

Advocate for the Petitioner : MR. K MIRA
Advocate for the Respondent : GA, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

13-03-2024

Heard Shri K. Mira, learned counsel for the petitioner. Also heard Shri S. Dutta, learned Standing Counsel, Revenue Department.

Considering the subject matter in dispute, the developments which have taken place and as agreed to by the parties, the instant writ petition is taken up for disposal at the admission stage.

The facts projected is that the petitioner was functioning as a Priest i.e., Minister of Religion within Khasi Jaintia Presbyterian Synod Mihngi in the district of Cachar. In the said capacity, one of his duties is to solemnize marriage but to do so, a license is required to be issued by the State Government under Sections 6 & 9 of the ***Indian Christian Marriage Act, 1872***. In this connection, numbers of representations have been made to the competent authority which however did not yield any results.

Thus situated, the petitioner had earlier approached this Court by filing WP(C) No. 7045/2022 which was disposed of vide order dated 11.11.2022 by this Court directing the petitioner to approach the District Registrar, Cachar within a specified time and submit application which was directed to be considered. The petitioner also had to file a Cont. Cas(C) No. 278/2023.

Subsequently, on certain assurance, the contempt petition was closed. However, the license was yet to be issued to the petitioner and therefore the present writ petition has been filed.

This Court vide order dated 13.12.2023 had issued notice in this matter.

In the hearing today, Shri Dutta, the learned Standing Counsel of the Department has however informed that a notification has been issued on 13.03.2024 as per which the license under Section 9 of the ***Indian Christian Marriage Act, 1872*** has been

granted to the petitioner on the strength of which, he would be able to solemnize and issue certificate of marriage.

A copy of the notification dated 13.03.2024 issued by the Principal Secretary, Revenue Department has been placed before this Court which has been perused.

On a direction of this Court, a copy of the same has also been furnished to Shri Mira, the learned counsel for the petitioner.

Considering the aforesaid development including issuance of the notification dated 13.03.2024, this Court is of the view that since the license to the petitioner under the ***Indian Christian Marriage Act, 1872*** has been granted vide the notification dated 13.03.2024, the grievance of the petitioner stands redressed.

The writ petition accordingly stands closed.

Copy of the notification dated 13.03.2024 is made part of the records.

JUDGE

Comparing Assistant