

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 1472 of 2016 (O&M)
Date of decision: 25.1.2016

Manjit Kaur and another

.. Petitioners

v.

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Sunil Agnihotri, Advocate for the petitioners.
Mr. Anil Sharma, Addl. Advocate General, Punjab.

...

Rajesh Bindal J.

The grievance of the petitioners is that though the petitioners had solemnised their marriage on 6.4.2008, however, the registration thereof has been refused by Registrar of Marriage, Dasuya on the ground that at the time of solemnisation of marriage, petitioner No. 2 was 19 years and 11 months' old, whereas petitioner No. 1 was more than 18 years of age.

The submission of learned counsel for the petitioners is that registration of marriage cannot be refused, in case any of the party to the marriage was less than the age prescribed in the Hindu Marriage Act. In support of the plea, reliance was placed upon Baljit Kaur Boparai and another v. State of Punjab and another, 2008(3) RCR (Civil) 109.

Learned counsel for the respondents very fairly did not dispute the aforesaid proposition of law. He submitted that he will apprise the competent authority about the law laid down by this court for taking appropriate action in the matter not only in the case in question but also in the applications filed before him in future for registration of marriages,

where any of the party may be under age at the time of solemnisation of marriage, however, the application is filed after the applicant has attained the age of eligibility.

After hearing learned counsel for the parties and considering the submissions, noticed above, the present petition is disposed of in terms of the fair stand taken by learned counsel for the respondents.

(Rajesh Bindal)
Judge

25.1.2016
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