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

**CWP No.10732 of 2018
Date of decision:02.07.2018**

Ravina Ahirwar and another ...Petitioners

Versus

The State of Haryana and others ...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Sukhdev S. Gopera, Advocate,
for the petitioners.

Rakesh Kumar Jain, J. (Oral)

This petition is preferred by a couple, out of whom the girl belongs to Scheduled Caste category and the boy belongs to General category. They both get married on 08.05.2017 at Jhajjar in the State of Haryana. Thereafter, they applied for the Certificate of Marriage in terms of the provisions of the Haryana Compulsory Registration of Marriages Act, 2008 (hereinafter referred to as the "Act") and were issued the Certificate of Marriage by the Tehsildar, Hansi while registering their marriage vide Registration No.14 dated 04.01.2018. Petitioner no.1 (the girl) belongs to Madhya Pradesh where both the petitioners applied for "shagun" under the scheme floated by the Government of Madhya Pradesh for solemnizing inter-caste marriage.

The grievance of the petitioner is that their case has not been dealt with by the concerned authority for grant of "shagun" under the aforesaid scheme on the ground that in the certificate of marriage, issued by the State of

Haryana, it is not mentioned as to under which rules the said certificate has been issued.

Counsel for the petitioner has submitted that as per Rule 3(3)(d) of the Haryana Compulsory Registration of Marriages Rules, 2008 (hereinafter referred to as the “Rules”), the Registrar is obliged to issue two copies of the marriage registration certificate in Form IV, free of cost to the couple, under his hand and seal, within fifteen days of receiving the application. The petitioner has appended the certificates of marriage issued by the Registrar, Ghaziabad, Uttar Pradesh and the Registrar of Marriages, Union territory, Chandigarh, in which it is categorically mentioned that the same have been issued under Section 8 of the Hindu Marriage Act, 1955 read with Rule 7(2) of U.P. Hindu Marriage Registration Rule, 1973 and the Union Territory Compulsory Registration of Marriages Rules, 2012 respectively. The petitioner has, thus, submitted that the certificate Annexure P-1 should have also contained the particulars of Rules etc. under which the said certificate has been issued.

To buttress his argument, he has relied solely upon Rule 3(3)(d) of the Rules, which read as under:-

“(d) The Registrar shall issue two copies of the marriage registration certificate in Form IV, free of cost to the couple, under his hand and seal, within fifteen days of receiving the application.”

I have heard learned counsel for the petitioner and examined the available record with his able assistance.

In order to appreciate the argument raised by the counsel for the petitioner, it would be relevant to refer to Form IV, which is provided in the Rules in terms of Rule 3(3)(d) of the Rules and read as under:-

“Form-IV

[See rule 3(3)(d)]

Marriage Registration Certificate

Joint photo of husband and
wife, clearly showing faces.
Registrar to sign and put seal
across photo.

Certified that Sh. S/o Sh.....
R/o..... has been married to
Smt.R/o
D/o R/o
on (date) at village
P.O. Tehsil District
Haryana State and the said marriage has been registered on
under registration No.....

(Signature of Registrar)
Issued under my hand and seal on
Registrar Tehsil/Sub Tehsil/
Municipal Corporation/Municipal
Committee/Council”

The certificate that has been issued by the Tehsildar, Hansi (Annexure P-1) is strictly in conformity with the language used in Form-IV, therefore, I do not find any reason to interfere in this petition as it is not mentioned in Form-IV that the Registering Authority would also have to mention as to under which provision of law the certificate has been issued.

Consequently, the present petition is hereby dismissed being denuded of any merit. However, the petitioner may, if so advised, approach the Madhya Pradesh Authorities for the purpose of seeking the benefit of “shagun” while referring to Rule 3(3)(d) of the Rules and the Form-IV provided in the Rules.

July 02, 2018
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No
Whether Reportable: Yes/No