

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

**CWP-4141-2019 (O&M)
Date of Decision: 27.02.2019**

Christina Alexander & another

... Petitioners

Versus

State of Haryana & others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Gurmeet Singh, Advocate for the petitioners.

Mr. Siddharth Sanwaria, DAG, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

CM-2997-CWP-2019:

Application is allowed as prayed for. The accompanying documents at Annexures P-7 and P-8 (colly) are taken on record.

Application is disposed of.

Main case:

It has been averred that the petitioners herein solemnized marriage with each other on 29.12.2018 in a Church at Morinda, State of Punjab. It is also the assertion that both the petitioners have attained the age of majority.

Instant petition has been filed seeking a mandamus for issuance of directions to respondents No.2 and 3 i.e. the Deputy Commissioner, Panchkula as also the Tehsildar-cum-Registrar of Marriages, Panchkula to register the marriage of the petitioners under the Haryana Compulsory Registration of Marriages Act, 2008 (hereinafter to

be referred to as 'the 2008 Act').

Counsel submits that the requisite application for registration of marriage and as per format provided along with supporting documents was sought to be submitted before respondent No.3 who is the designated authority for registration of marriages under the 2008 Act but the same is not being accepted on the basis that parents of the parties should also come physically present.

It is the argument raised by counsel that there is no such requirement under the 2008 Act.

Notice of motion.

On the asking of the Court, Mr. Siddharth Sanwaria, DAG, Haryana accepts notice.

A complete copy of the writ paper book has been furnished to learned State counsel.

In view of the order that I intend to pass there would be no requirement of seeking a formal reply to the writ petition at the hands of the respondent/authorities.

The writ petition is disposed of with a direction to respondent No.3 i.e. the Tehsildar-cum-Registrar of Marriages, Panchkula to receive the application of the petitioners seeking registration of their marriage and thereafter to process the same in accordance with law and under the provisions of the Haryana Compulsory Registration of Marriages Act, 2008. In the eventuality of there being no legal impediment, the necessary marriage registration certificate would be provided to the petitioners.

However, if for any reason, the marriage of the petitioners cannot be

registered, the decision in such regard would be communicated to the petitioners in writing.

Disposed of.

27.02.2019
harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |