

S.No.103

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

CWP No.5751 of 2021

Date of Decision:10.03.2021

Abigail Masih and another

.....Petitioners

Vs.

Chief Registrar of Marriages and othersRespondents

CORAM:- HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present:- Mr. Chetan Bansal, Advocate for the petitioners.

(The proceedings are being conducted through video
conferencing, as per instructions).

G.S. SANDHAWALIA, J.(Oral)

The petitioners seek writ in the nature of mandamus directing the respondents, especially respondent No.4 to register the marriage of the petitioners on the basis of memorandum (Annexure P.5) and as per the necessary documents already submitted under the relevant provisions of the Punjab Compulsory Registration of Marriage Act, 2012.

The case of the petitioners is that they are major and solemnised marriage with each other on 21.12.2020 in Church of Nazarene Sangvi, Shivaji Park, Road No.3, Sai Chowk, New Sanvi, Pune. The marriage certificate and photographs of marriage have been attached as Annexures P.3 and P.4. The registration of marriage is compulsory and required as petitioner No.1 studies in Birmingham City University, England. On account of the family of petitioner No.1 opposing the marriage, request has been received by the father of petitioner No.1, namely, Patras Masih on 25.01.2021 (Annexure P.6), requesting respondent No.4 to not to register the marriage. It is also averred that Criminal Writ Petition No.1129 of 2021 had been filed before this Court seeking protection of life and liberty of

the petitioners from the family members of petitioner No.1 and the same has been disposed of on 05.02.2021 (Annexure P.7) to look into the grievance of the petitioners.

Notice of motion.

Ms. Simran Grewal, AAG, Punjab, accepts notice on behalf of the State. A soft copy of the writ petition be supplied to her during course of the day.

In view of the grievance raised by the petitioners, the present writ petition is disposed of with a direction to respondent No.4 to receive the application of the petitioners seeking registration of their marriage and thereafter to process the same in accordance with law under the provisions of the relevant enactment/ rules. If there is no impediment under law, the requisite Marriage Registration Certificate be issued to the petitioners expeditiously.

The opposition by father of petitioner No.1 would not stand in the way since the parties are adults and have got married of their own choice.

The writ petition is disposed of with the above directions.

March 10, 2021
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(G.S. SANDHAWALIA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No