

CWP-15811-2021 (O&M)

Date of decision : August 20, 2021

Dharminder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Sukhwinder Singh Kainth, Advocate for the petitioner.

Mr. Abhay Pal Singh Gill, AAG, Punjab.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

Grievance raised by the petitioner in this writ petition is that registration of his marriage with Ms. Gurpreet Saini is not being carried out. Petitioner seeks exemption of physical presence of his wife - Gurpreet Saini for registration of their marriage or allow her to appear through video conferencing as after solemnisation of marriage, on 17.07.2021 she has proceeded to Canada for higher education. It is submitted that registration of their marriage has been refused by respondent No. 2.

Learned counsel for the State to whom advance copy of the petition has been supplied, on instructions from Sh. Manmohan Kumar, Tehsildar-cum-Registrar of Marriage, Jagraon, submits that petitioner has infact never approached the authorities. Learned counsel for the State has also circulated instructions dated 24.12.2018 issued by the Department of Home Affairs and Justice, Government of Punjab in regard to registration of marriage under The Punjab Compulsory Registration of Marriage Rules, 2013 and The Punjab Anand Marriage Registration Rules, 2016. Said instructions deal with registration of marriage without physical

presence of bride and bridegroom at the time of registration. Learned counsel for the State further submits that in case an application is filed by the petitioner before respondent No. 2 in terms of instructions dated 24.12.2018, the same shall be considered and appropriate action shall be taken thereon in a time bound manner. Learned counsel for the petitioner submits that necessary application alongwith attending documents shall be filed within a week.

Keeping in view the aforementioned, it is directed that in case the petitioner files requisite application in terms of instructions dated 24.12.2018 before respondent No. 2, necessary action thereon be taken expeditiously and definitely within two weeks from submission of the application.

Accordingly, present petition is disposed of.

August 20, 2021
rts

(Lisa Gill)
Judge

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No