

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

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**CWP-4530-2022 (O&M).
Date of Decision: 05.09.2022.**

Deepak Kumar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Gurminder Singh Phull, Advocate, for
Mr. Vineet Jakhar, Advocate for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana..

VINOD S. BHARDWAJ. J.

The present writ petition has been filed under Articles 226/227 of the Constitution of India, 1950 seeking issuance of a writ in the nature of mandamus directing respondent No.3 to consider the marriage registration forms of the petitioners filed on 12.01.2022 and to issue marriage certificate to the petitioners.

Learned counsel appearing on behalf of the petitioner refers to the averments contained in the written statement filed on behalf of respondent Nos.1 to 3 which reads as under:-

“4. That it may further be submitted here in that the relevant file of the petitioners is not with the answering respondents as the same was taken back by the petitioners. As such, if the petitioners submit their aforesaid file for registration of marriage in question with answering respondent No.3, the same would be forwarded to the Chief Registrar by the answering respondent No.3 for appropriate action, subject to all the relevant documents are found to be in order and only after necessary permission of the Chief Registrar for registration of marriage in question, the same could be registered by the answering respondent No.3. The answering respondent, in view of the above reproduced provisions of the Haryana Compulsory Registration of Marriage Act, 2008, independently has no right or authority to register the same, without the aforesaid requisite permission.”

By placing reliance on the aforesaid, learned counsel for the petitioner contends that the petitioners shall appear before respondent No.3 within a period of 30 days along with the requisite documents so required by the authorities concerned and that the respondent authorities may thereafter take appropriate decision in accordance with law and expeditiously.

Learned counsel representing the State has no objection to the aforesaid prayer being granted.

Accordingly, the present writ petition is disposed of. The petitioners shall be at liberty to appear before respondent No.3 and submit their file along with all the requisite documents so as to enable respondent No.3 to seek appropriate permission from the Chief Registrar for registration of marriage in question. The decision shall be taken by

the respondent authorities preferably within a period of four months from the receipt of certified copy of this order.

September 05, 2022
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(VINOD S. BHARDWAJ)
JUDGE

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