

128 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19045-2022

Date of Decision: 29.08.2022

HARBHAJAN LAL AND ANOTHER

...Petitioner

V/S

STATE OF PUNJAB AND OTHERS

...Respondents

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

Present: Mr. Divyam Dhaka, Advocate
for the petitioners.

VINOD S. BHARDWAJ J. (Oral)

This is a petition under Article 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus for directing respondent Nos. 2 to 4 to take appropriate action on the representation dated 17.08.2022 (Annexure P-7) submitted by the petitioners for registration of their marriage.

Learned counsel appearing for the petitioners contend that representation dated 17.08.2022 was moved to respondent No. 4 for registration of the marriage of the petitioners but respondent No. 4 is neither accepting nor rejecting the representation of the petitioners as the petitioners are run away couple and they married against the wishes of their parents. The petitioners have been informed that they must bring their parents to get their marriage registered. Same is not practical or is mandatory requirement stipulated in the statutory rules. It is further contended that a representation in this regard has already been submitted by the petitioners,

which is pending as Annexure P-7 dated 17.08.2022 and they would be satisfied in case respondent No. 4 i.e. Marriage Registrar-cum-Tehsildar, Tehsil Complex, Hoshiarpur is directed to pass a reasoned speaking order on the aforesaid representation.

Notice of motion of the present petitor.

Ms. Niharika Sharma, AAG Punjab, who is present in the Court accepts notice and has no objection to the aforesaid prayer of the petitioners.

Accordingly, the present petition is disposed of with a direction to the respondent No. 4 i.e Registrar-cum-Tehsildar, Tehsil Complex, Hoshiarpur, to look into the representation dated 17.08.2022 (Annexure P-7) submitted by the petitioners in light of the statutory provisions contained in Punjab Compulsory Registration of Marriage Act, 2012 and pass a reasoned speaking order thereupon within a period of 3 months from the date of receipt of a certified copy of this order after affording opportunity of hearing to the petitioner.

The petition stands disposed of in aforesaid terms.

29.08.2022
Ajay Goswami

(VINOD S. BHARDWAJ)
JUDGE

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