

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

113

CWP-28305-2022

Date of decision: 16.12.2022

SANDEEP SINGH GILL

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Monty Goyal, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of Mandamus directing the respondents to register the adoption deed dated 24.07.2022 (Annexure P-4) executed between the petitioner and respondents No.4 & 5 who are the biological parents of the minor-Nihal Singh Gill born on 16.03.2022.

Learned counsel appearing on behalf of the petitioner contends that the petitioner as well as the biological parents of the minor fulfill the criteria applicable for giving a child-minor in adoption in terms of Hindu Adoption and Maintenance Act, 1956. Upon performance of such rituals, the adoption deed was recorded in writing and was presented to the respondent-authorities for registration. However, the said registration has not been done.

Accordingly, legal notice dated 02.08.2022 was also sent on behalf of the petitioner to the Deputy Commissioner, Ludhiana,

however, no decision has been taken thereupon. He further contends that he would be satisfied at this juncture in case a direction is issued to respondent No. 2 to consider the said Legal Notice as also the averments contained in the present writ petition and to pass a reasoned and speaking order thereupon.

Notice of motion.

Mr. Saurav Verma, Addl. A.G. Punjab appears and accepts notice on behalf of respondents No.1 to 3.

In view of this order, this Court proposes to pass, no formal notice to respondents No.4 & 5 is required at this stage.

Learned State counsel has no objection to the present petition being disposed of at this stage with direction to respondent No.2 to take decision on the Legal Notice as also the averments contained in the present petition.

Accordingly, the present petition is disposed of with the consent of the parties and without commenting on the merits of the present case with a direction to respondent No.2-Deputy Commissioner, Ludhiana to pass a reasoned and speaking order on the Legal Notice as also the averments contained in the present petition within a period of 03 months of a receipt of certified copy of this order after affording an opportunity of hearing to all concerned parties.

Petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

DECEMBER 16, 2022

Vishal sharma

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