

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

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**CWP-1602-2023
Date of decision: 27.01.2023**

KULDEEP SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

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

Present:- Mr. Vikram Jeet Singh, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G. Punjab
for respondents.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondent No.4 to make necessary corrections/changes in the marriage register which has been maintained under the Punjab Compulsory Registration of Marriage Act, 2012 by the respondent No.4 with regard to Marriage Certificate No.HSP/00215/2020/026303 dated 02.07.2020 (Annexure P-1).

Learned counsel for the petitioner contends that the petitioner had solemnized the marriage on 25.01.2020 with Ms. Pooja Kumari D/o Balwinder Kumar as per Sikh Rites and Rituals at Gurudawara Kalgidhar Sahib, Ward No.2, District Hoshiarpur. The petitioner submitted the

Memorandum of marriage on 17.06.2020 to the respondent No.4 for registration of his marriage with his legally wedded wife Pooja Kumari in view of Section 4 of the Punjab Compulsory Registration of Marriage Act, 2012. However, at the time of filing of the Memorandum of Marriage, the petitioner inadvertently and unintentionally filled the column with regard to his civil condition at the time of marriage with Pooja Kumari as “Unmarried” instead of “Divorcee”. He further submits that after receiving the copy of Marriage Certificate No. HSP/00215/2020/026303 dated 02.07.2020, the petitioner found that his Civil Condition at the time of marriage at Sr. No.7 has been wrongly entered as “Unmarried” instead of “Divorcee”. Thereafter, the petitioner immediately approached the respondent No.4- Registrar of Marriage-cum-Tehsildar, Mukerian, District Hoshiarpur for making necessary correction in the aforesaid Marriage Certificate as the same was just a bona fide error. The petitioner submitted all the necessary documents to the respondent-authorities for making necessary corrections in the aforesaid Marriage Certificate and thereafter submitted a representation dated 10.01.2023 to the respondent No.4- Registrar of Marriage-cum-Tehsildar, Mukerian, District Hoshiarpur regarding correction of his civil condition at the time of marriage at Sr.No.7 in the said Marriage Certificate. However, no action has been taken by the respondent-authorities.

Learned counsel appearing on behalf of the petitioner contends that he would be satisfied at this juncture in case the respondent No.4- Registrar of Marriage-cum-Tehsildar, Mukerian, District Hoshiarpur is directed to look into the representation dated 10.01.2023 and to pass a reasoned and speaking order thereupon in a time bound manner.

Notice of motion.

Mr. Saurav Verma, Addl. A.G. Punjab appears and accepts notice on behalf of respondents and has no objection in the event such prayer of the petitioner as aforesaid is accepted.

Accordingly, the present petition is disposed of with consent and without commenting on the merits of the claim, with a direction to respondent No.4- Registrar of Marriage-cum-Tehsildar, Mukerian, District Hoshiarpur to examine the grievance espoused by the petitioner in the representation dated 10.01.2023 and to pass a reasoned and speaking order thereupon within a period of 03 months of the receipt of certified copy of this order after affording an opportunity of hearing to the respective parties.

The petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

JANUARY 27, 2023

Vishal Sharma

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No