

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

210

**CWP-17397-2017 (O&M).
Date of Decision: 01.08.2023.**

Dharamvir Singh

...Petitioners

Versus

Chief Registrar of Births and Deaths and others

...Respondents

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

Present: None for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana,
for respondents No.1 to 4.

VINOD S. BHARDWAJ. J (ORAL)

The present writ petition had been filed for seeking quashing of the order dated 07.06.2017 (Annexure P-14) vide which the genuine claim of the petitioner is stated to be have been rejected arbitrarily.

Fresh notice had been directed to be issued to respondents No.5 to 7 on filing of process fee.

As per the office report, the said respondents already stand served.

Learned State counsel for respondents No.1 to 4, however, Ofurther informs that reply on behalf of the official respondents had been filed on 03.11.2017 wherein it was specifically stated in para No.8 that on verification from the Sarpanch, Panch and Chowkidar of the village, it was revealed that death of Bhale Ram, the father of the petitioner and Fuli Devi mother of the petitioner did not take place in village Nara. Hence, they could not certify the factum of death having taken place, as such, registration of the above said event could not be done and a certificate in this regard cannot be issued. Even though the above said reply had been filed in the year 2017, however, no response by way of replication or otherwise has been filed by the petitioner.

It is also apparent that there was no appearance on behalf of the petitioner on 16.01.2018 as well as on 13.07.2018. On the next date of hearing i.e. on 05.02.2019, counsel for the petitioner prayed for an adjournment whereupon the case was adjourned. Even on the last date of hearing, there was no representation on behalf of the petitioner. The position has remained unchanged today as well. Since disputed questions of fact regarding the factum of death and/or place of death of Bhale Ram and Fuli Devi arise in the present petition, the same cannot be examined by this Court, at this juncture.

The present petition is accordingly disposed of with liberty to the petitioner to take recourse to the alternative remedies available to him in accordance with law.

August 01, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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