

IN THE PUNJAB AND HARYANA HIGH COURT AT  
CHANDIGARH

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CWP-29782-2019

Date of Decision: 28.08.2023

FATIMA BIBI AND ANOTHER

... Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

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Present: Ms. Kanchan Gautam, Advocate for  
Mr. Monty Goyal, Advocate for the petitioners.

Ms. Niharika Sharma, AAG, Punjab.

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**VINOD S. BHARDWAJ, J. (ORAL)**

The grievance espoused by the petitioners in the present petition is that the Marriage Officer-cum-Addl. Deputy Commissioner has declined to register the marriage of the petitioners vide order dated 13.06.2019 in violation of the provisions of the Special Marriage Act, 1954.

Reply on behalf of the respondents had been filed on 03.01.2020, wherein it was specifically mentioned that the petitioner have never applied for the registration of their marriage under Section 16 of the Special Marriage Act, 1954; rather, only an application was submitted for issuance of Marriage Ability Certificate, which is given to unmarried persons. The petitioner No.1 had submitted an application dated 11.05.2019 under her signatures making a request for not sending information about marriage to her family. However, the procedure contained under Section 16 of the Special Marriage Act, 1954 had not been followed. The duly signed application as per the provision of the Special Marriage Act, 1954 had not been filed and the same was conveyed to the petitioners vide office letter No.MA-1(3)/4421 dated 13.06.2019.

Faced with the above, learned counsel appearing on behalf of the petitioners contends that she has instructions to withdraw the present petition.

Disposed of as withdrawn.

AUGUST 28, 2023  
rajender

(VINOD S. BHARDWAJ)  
JUDGE

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