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Supplementary List

HIGH COURT OF JAMMU &KASHMIR AND LADAKH AT SRINAGAR

WP(C) No. 3058/2024
CM No. 8329/2024

Razia Sarwar and anr. …..Petitioner(s)

Through: Mr. Yasir Waqar, Adv.

V/s

UT of J&K and Ors. ….. Respondent(s)

Through: Mr. Mubashir Majid, Dy. AG

CORAM:

Hon'ble Mr. Justice Sanjay Dhar, Judge.

ORDER

27.12.2024

1. The petitioners seek a direction to respondents to provide them the police protection as they apprehend danger to their lives from respondent No. 5 to 8. It is submitted that the petitioners are major and out of their free will they got married. Copy of Nikahnama, Marriage Agreement and Date of Birth certificate have been placed on record. They submit that since they have contracted the marriage against the wishes of the parents of petitioner No.1, as such, they are facing harassment at their hands.
2. Learned counsel for the petitioners refers to the decision of the Supreme Court in *Lata Singh v. State of UP. and anr., 2006 (5) SCC 475*, and submits that in absence of there being any legal impediment, the petitioners are entitled to marry according to their choice and the

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official respondents are duty bound to protect the life and liberty of the petitioners.

3. Any person having attained the age of majority is entitled to contract the marriage as per his/her wishes and the police department is duty bound to protect the life and liberty, if approached. However, it appears that the petitioners have not ever approached the official respondents for their indulgence in the matter for providing protection to them.

4. In this view of the matter, the petition is disposed of, at this stage, by providing that the respondent No. 1 to 4 shall look into the grievance of the petitioners and if the grievances are found to be correct then to provide them adequate security and to ensure that nobody interferes in their married life. It is made clear that no opinion has been expressed with regard to the validity of their marriage.

5. The writ petition is, accordingly, disposed of.

(Sanjay Dhar)
Judge

SRINAGAR
27.12.2024
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