

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

114

CWP-8820-2024 (O&M)
Date of decision: 22.04.2024

Ankit and another

...Petitioners

VERSUS

State of Haryana and others

...Respondents

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

Present :- Mr. Anand Kumar Maurya, Advocate for the petitioners.

VINOD S. BHARDWAJ, J. (Oral)

1. Prayer in the present petition is for issuance of directions to respondents No.1 to 3 to register the marriage of the petitioners as per the provisions of Section 6 of The Haryana Compulsory Registration of Marriages Act, 2008, in an offline mode instead of online registration on the 'Haryana Marriage Registration Portal'.

2. Learned counsel appearing on behalf of the petitioners contends that the petitioners have solemnized marriage against the wish of parents of petitioner No.2. It is contended that after solemnization of marriage, the petitioners visited the office of Tehsildar, Uchana Kalan, District Jind (Haryana) for registration of their marriage and they were advised to submit an online application for the same. It is submitted that the integrated online portal established by the Government of Haryana requires uploading of

‘Parivar Pehchan Patra’ and an OTP is thus generated and is sent to the registered mobile number belonging to the father of petitioner No.2. He is not sharing the OTP as a result whereof the application for registration of marriage of the petitioners is not being accepted by the portal. He contends that The Haryana Compulsory Registration of Marriages Act, 2008, mandates registration of every marriage but the circumstances impeding the petitioners from being compliant of the laws, however, are not being redressed by the respondents.

3. It is submitted that there is no restraint against the submission of offline application form and that a prescribed format i.e. FORM No.1 is already available.

4. He further submits that it was specifically held by this Court in **CWP-2480-2011** titled as ‘**Aarti Singh and another Vs. Chief Registrar under Registration of Marriage Act, Civil Secretariat, Haryana, Chandigarh and others**’, that the concurrence of the parents is not required for registration of marriages yet the petitioners are being denied their marriage from being registered which entails consequences for various civil rights and social status which is secured after getting the marriage registered.

5. Notice of motion.

6. Mr. Vivek Saini, Addl. A.G., Haryana, accepts notice on behalf of the respondents and submits that the applications for registration of marriages are required to be submitted through online mode only. An OTP is, thereafter, generated and sent on the registered mobile number which is necessary for registration. He, however, could not satisfactorily reply as to why the application through offline mode cannot be accepted under such

circumstances when the OTP is not being shared by the holder of the registered mobile number.

7. Having heard the learned counsel for the respective parties, the present writ petition is **disposed of** with a direction to respondent No.2-District Marriage Registrar, District Jind, Haryana, to accept the application of the petitioners for registration of their marriage in offline mode and to take appropriate steps for ensuring registration of the said marriages as per the provisions of The Haryana Compulsory Registration of Marriages Act, 2008.

8. Disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

22.04.2024
Mangal Singh

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