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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-25300-2023

Date of decision:13.08.2024

Butta Singh & anr.

...Petitioners

Versus

State of Haryana & ors.

...Respondents

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

Present : Ms. Sonia G. Singh Samber, Advocate,
for the petitioners.

Mr. Suneel Ranga, DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present writ petition is for quashing the remarks given by respondent No.3, vide which the file of marriage registration of the petitioners has been returned.

Learned State counsel has made reference to Memo No.2/2/2022-ICRID, dated 19.07.2024 on the subject of instructions for registration of marriages. The relevant extract of the same reads as under:-

“3.10 For registration of marriages solemnized before 2nd August 2022, the Registrar may proceed in accordance with the decision of the Honorable High Court of Punjab & Haryana in CWP 91 of 2023 Satwinder Singh and others vs. State of Haryana and others dated 02 November 2023, reproduced here: “age of the parties has to be seen on the date when the registration of marriage is sought, not on the date when solemnization of the marriage has taken place”. Similar orders have also been passed in few other cases by the Honorable High Court, namely CWP-4238 of 2008 titled as Baljit Kaur Boparai and others vs. State of Punjab and others, decided on 28.03.2009 and CWP-22586 of 2014 titled as Bhupinder Singh and others vs. State of Punjab and others, decided on 12.01.2015.



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3.11. *In view of the above, for registration of marriages solemnized before 2nd August, 2022, wherein the bride and the bridegroom had not completed the age of 18 years and 21 years respectively as on the date of solemnization of marriage, then the bride should have completed 18 years of age and Bridegroom should have completed 21 years of age at the time of filing the application for registration of their marriage.”*

It is evident from the perusal of the same that the competent authority has already issued instructions to the Registrar of Marriages to process the case for registration of marriages under the Haryana Compulsory Registration of Marriages Act, 2008 by considering the age of the parties as on the date of presentation of the application for registration of marriages.

In view of the aforesaid instructions, the present writ petition has been rendered infructuous. However, the petitioners shall be at liberty to move application afresh with the Registrar of Marriages, who shall pass appropriate order in the light of the revised instructions.

The petition stands disposed of accordingly with the aforesaid liberty.

13.08.2024
monika

(VINOD S. BHARDWAJ)
JUDGE

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