



2026:DHC:3604



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5342/2026**

Date of Decision: **21.04.2026**

**IN THE MATTER OF:**

**ANURAG MALIK & ANR.**

.....Petitioner

Through: **Vikas Kumar Pandey, Hemdeep Moran, Dinesh kumar Singh, Advocates.**

versus

**GOVT OF NCT OF DELHI & ANR.**

.....Respondent

Through: **Mr. Mohit Aggarwal, Advocate.**

**CORAM:**

**HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV**

**J U D G E M E N T**

**PURUSHAINDRA KUMAR KAURAV, J. (ORAL)**

1. The present petition under Article 226 of the Constitution of India has been filed by an Indian couple residing in the United States of America (USA), seeking a direction to the concerned Sub-Divisional Magistrate (SDM), New Delhi to register their marriage in accordance with the provisions of the **Delhi (Compulsory Registration of Marriage) Order, 2014** (*hereinafter referred to as the 'registration order'*) without insisting on their physical appearance.



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2. The petitioners state that their marriage was solemnized on 19.04.2022 at “The Royal Imperial Feast Opp. Bathla Apartment, I.P Extension, Patparganj, New Delhi” in accordance with Hindu rites and customs as per **the Hindu Marriage Act, 1955**. Both the petitioners are residing in the USA and are unable to travel on account of work commitments and care of their 8-month-old minor child.

3. It is further stated that Ms. Veena Dhawan, mother of petitioner no.2 and mother-in-law of petitioner no.1, has been appointed as the Special Power of Attorney (**‘SPA’**) holder to sign the requisite documents. Learned counsel for the petitioners submits that the petitioners may be permitted to appear through video conferencing before the concerned Sub-Divisional Magistrate (**‘SDM’**) for verification of the solemnization of marriage.

4. Learned counsel appearing for the respondents opposes the submission that the authenticity of the documents pertaining to the solemnization of marriage may be conducted over the virtual presence of the petitioners, along with the physical presence of their SPA holder. He submits that the registration order does not contain any express provision that permits appearance through video conferencing. According to him, the personal appearance of the parties is required for verification and completion of registration formalities.

5. The Court, however, finds that in the case of **Reena Chadha & Anr. v. Govt. Of NCT of Delhi**<sup>1</sup> and **Sarabjeet Singh Narula & Anr. v. Govt. of NCT of Delhi**<sup>2</sup>, this Court has permitted parties residing abroad to appear through video conferencing/virtual platform for registration of marriage,

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<sup>1</sup> WP(C) 6653/2021

<sup>2</sup> WP(C) 3257/2026



subject to due verification and completion of procedural formalities.

6. The registration order was framed at a time when the use of technology was far more limited. With the advancement of technology, the existing registration order of 2014 requires a suitable reconsideration. It is now a matter of common knowledge that the virtual presence of a person residing in another country can be effectively secured through video conferencing. When technology has become a reliable means for uninterrupted communication and institutional functioning, the Court cannot always hold a rigid interpretation of the requirement of physical appearance, so as to prevent citizens from accessing a statutory process. As Oliver Wendell Holmes, Jr. famously observed, “*the life of the law has not been logic; it has been experience.*”

7. The registration order is an administrative scheme promulgated at the instance of the Supreme Court to encourage registration of marriages. It must, therefore, be interpreted in a manner that ensure its base is met without creating any unnecessary obstacles to the beneficiaries. The insistence on physical appearance, even when their personal appearance can be easily secured through video conferencing, along with the physical appearance of the SPA holder, will make it cumbersome for the parties to come forward for registration of marriages, especially for persons residing abroad.

8. No doubt, the right of the registering authority to verify the genuineness of the parties, the documents presented, and the authority of the SPA holder cannot be curtailed. However, such verification can be undertaken by adopting appropriate virtual means, without insisting upon an in-person appearance of the applicants. If for any reason the authority finds



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that without physical appearance, the verification is not possible, in those cases parties can still be insisted to appear physically.

9. In the instant case, the identity of the petitioners can be verified by their respective parents. In addition, two independent witnesses shall also be directed to remain physically present to verify the identity of the petitioners, who shall be appearing on a virtual platform/ VC.

10. In view of the aforesaid, there is no impediment in disposing of the instant writ petition. Accordingly, the same stands disposed of with the following directions:

- (i) The concerned SDM shall fix a mutually convenient date for enabling the petitioners to appear through video conferencing.
- (ii) Let the parents of both the petitioners remain physically present along with their original identity documents for verification.
- (iii) Let the two independent witnesses, in addition to the parents of the petitioners, remain physically present before the concerned SDM to verify the identities of the petitioners and of the petitioners' parents.
- (iv) If the aforesaid directions are complied with, the pending application for the registration of marriage shall be dealt with on merits without insisting on the physical presence of the petitioners.

**(PURUSHAINDRA KUMAR KAURAV)**  
**JUDGE**

**APRIL 21, 2026**  
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