

(2001) 03 DEL CK 0125
In the Delhi High Court
Case No : Civil Writ No. 4376 of 1994

Amrik Singh Lyallpuri

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 14-03-2001

Acts Referred:

Delhi Hindu Marriage Registration Rules, 1956 — Rule 4

Citation : (2001) 4 AD 994 : (2001) 58 DRJ 509

Hon'ble Judges : V.K. Jain, J

Bench : Single Bench

Advocate : Raja Harpal Singh, for the Appellant; Dheeraj Nair, Anamika Aggarwal and V.K. Shali, for the Respondent

Judgement

Vijender Jain, J.—In view of the counter affidavit filed by the respondent where requirement is not that when has been stated in the petition but in view of the amendment in Rule 4 of Delhi Hindu Marriage Registration Rule, 1956 notified vide Notification dated 28.2.1961, which reads as under :-

"On receipt of the application the Registrar shall enter the particulars in the Register in Form B after the parties to marriage appear before him and are identified to his satisfaction."

2. Mr. Shali has contended that in the meeting of the Deputy Commissioners held under the Chairmanship of Divisional Commissioner regarding the issue of identification of the parties to the satisfaction of the marriage officer which was held on 5.6.2000, certain categories of officers, who have been allowed for the purpose of identification, are Gazetted Officer of the Central Government & Government of Delhi and employee (except Group D employee) of the Central Government/Government of Delhi and following categories of officers for identification of the parties to the marriage to the satisfaction of the Registrar have been included and they are :-

1) Gazetted Officer of Central Government, or of Govt. of NCT of Delhi, or of

other State Govt./UTs posted at Delhi;

2) Group A and Group B employees of the Central Govt., Govt. or of NCT of Delhi, or of other State Govt./UTs posted at Delhi, who is at least a Graduate.

3) MPs/MLAs/Municipal Councillor of the Govt. of Delhi, or MPs of upper/lower house.

3. In view of the decision take by the respondents, necessary amendment in Rule 4 of the said Rules be made, same be notified to the Marriage Officers as well as to the public at large and necessary amendment in the brochure along with application for marriage registration be also made.

4. With these observations, writ petition stands disposed of.