
(2015) 01 P&H CK 0027

In the Punjab And Haryana At Chandigarh

Case No : C.W.P. No. 22586 of 2014 (O and M)

Bhupinder Singh and Others

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision : 12-01-2015

Acts Referred:

Citation : (2015) 2 RCR(Civil) 338

Hon'ble Judges : K. Kannan, J.

Bench : Single Bench

Advocate : Kanwal Goyal, for the Appellant; Vandan Malohotra, Additional Advocate General, Advocates for the Respondent

Final Decision : Disposed off

Judgement

K. Kannan, J.—In this case, registration of the marriage between the petitioners was denied on the ground that the age of the bridegroom is less than 21 years. The issue of age has already been settled by this court in C.W.P. No. 4238 of 2008 decided on 28.3.2008, wherein this Court held that the age at the time of solemnization of the marriage is not relevant, if at the time when the registration was sought, the person had completed 21 years, there could be no objection in registering the marriage. Learned counsel for the State states that marriage has been registered by the Registrar of Marriages, Jalandhar. In view of the representation made by the counsel that the marriage has been registered, no further orders are necessary in this writ petition.

2. At this stage, it is noticed that marriages are not registered under two circumstances: One, on the ground of solemnization of marriage by religious rites, one of the partners was a minor. Two, parents have not consented to the marriage. Both the grounds can not be invoked by any State authority for declining to register, in view of the clear pronouncements of this court on both the aforesaid aspects. The Registering Officers are forewarned that any reluctance or delay on their part to register the marriages on the first ground or insistence of the parents to be present for registration in the second instance will

be taken as disobedience of the order of this court already issued. There could be no such compulsion on any of the parties contracting the marriages to secure the presence of the parents. Any report of recurrence of such by Registering Officers will invite action for contempt and will be viewed very strictly. The writ petition is disposed of with the above observations. This order shall be communicated to all the Registering Officers in the State of Punjab by the State counsel.