

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-18065-2025

Date of decision: 04.07.2025

Priscila Danenberg Levy and another

....Petitioners

Versus

Union Territory and another

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Abhijeet Singh Rawaley, Advocate, for the petitioners.

Mr. Pritpal Singh Nijjar, Additional Standing Counsel, and
Mr. Himmat Singh Sidhu, Junior Panel Counsel,
for the respondent-U.T., Chandigarh.

KULDEEP TIWARI, J. (Oral)

1. The petitioners have approached this Court by way of instant petition, as cast under Article 226 of the Constitution of India, for issuance of a Mandamus upon respondent No.2 to allow the application moved by them, and register their marriage, under the Hindu Marriage Act, 1955.

2. Succinctly stated, petitioner No.1 is an Israeli Citizen, who has been residing in India for over a decade. Initially, she used to be an atheist, but over the passage of time, she inculcated belief in Hindu religion and, she started following the same. Thereafter, she voluntarily solemnized marriage with petitioner No.2 on 10.05.2025, at Adhyatmik Arya Samaj Mission Temple, Sector-52, Chandigarh, as per customary Hindu rites and rituals, as he belongs to Hindu religion. Accordingly, since the Haryana Compulsory Registration of Marriages Act, 2008, as extended to the Union Territory of Chandigarh, (hereinafter referred to



as, 'the Act of 2008'), mandates the registration of marriage, the petitioners moved the apposite application dated 29.05.2025 (Annexure P-2), under Section 6 and 7 thereof, before Tehsildar-cum-Marriage Registrar, Chandigarh (respondent No.2), for registration of their marriage. However, the respondent concerned has neither registered their marriage, nor passed any rejection order till date. This caused grievance to the petitioners and propelled them to institute the instant petition.

3. Learned counsel for the petitioners, while placing reliance upon Section 6 of the Act of 2008, submits that every marriage solemnized in the State, irrespective of caste, religion or creed, is required to be registered in the manner, as prescribed in Section 7 thereof. He further submits that, since petitioner No.1 has adopted and started practicing Hindu religion, therefore, as per provisions of Section 2 of the Hindu Marriage Act, 1955, (for short, 'the Act of 1955'), marriage of the petitioners is legal in all respects. Concluding his arguments, it is urged that respondent No.2 is only required to register the marriage, and, the provisions of the Act of 2008, do not empower the authorities concerned to evaluate the legality of the marriage. Thus, the inordinate delay in allowing the application of the petitioners for registration of their marriage is unwarranted.

4. Notice of motion.

5. Mr. Pritpal Singh Nijjar, Additional Standing Counsel, along with Mr. Himmat Singh Sidhu, Junior Panel Counsel, is present in Court, and accepts notice on behalf of the respondents. He, after having instructions from the quarter concerned, informs this Court that respondent No.2 has not refused to register the marriage of the



petitioners, rather their application is pending consideration. The respondent concerned is awaiting a report with regard to police verification, as petitioner No.1 is a foreign national. In this regard, he submits that as per Rule 3(3)[(ca)] of the Haryana Compulsory Registration of Marriages Rules, 2008, in case of marriage of any Indian Citizen, solemnized in India, with a foreign national, it is mandatory to verify his/her domicile from the Embassy concerned. Accordingly, he fairly submits that, once the verification formalities are complete, the case of the petitioners would be considered, as per the provisions of the Act of 2008.

6. In view of the specific stand set out by the learned counsel for the respondents, this Court deems it apt to **dispose of** the instant writ petition, at this stage, with a direction upon respondent No.2 to make all efforts to expeditiously complete the requisite process, as prescribed for registration of marriage of the petitioners.

7. Ordered accordingly.

8. However, it is clarified that the petitioners are at liberty to move an apt application/motion for revival of the instant petition, in case the grievance of the petitioners still survives, after receipt of the verification report (supra).

(KULDEEP TIWARI)
JUDGE

04.07.2025
Ak Sharma

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