

**IN THE HIGH COURT OF UTTARAKHAND**  
**AT NAINITAL**

**Writ Petition (PIL) No. 98 of 2021**

Amanjot Singh Chadha. ....Petitioner.

-Versus-

State of Uttarakhand. ....Respondent.

Present:

None appears for the petitioner.

Shri B.S. Parihar, learned Standing Counsel for the State of Uttarakhand.

Date of hearing and order : 23.03.2022

**Coram:**

**Sri Sanjaya Kumar Mishra, ACJ.**

**Sri Ramesh Chandra Khulbe, J. J.**

*Upon hearing the learned counsel for the parties, the Court made following Order (Per Sri Sanjaya Kumar Mishra, ACJ)*

1. None appears for the petitioner, however, keeping in view the nature of litigation and the submission made by Shri B.S. Parihar, learned Standing Counsel for the State of Uttarakhand, the petition is being disposed of.
2. This public interest litigation has been filed by the petitioner commanding the respondent State to notify the Rules under Anand Marriage Act, 1909 and also to issue guidelines to register the marriage of people of Sikh Community under the Anand Marriage Act, 1909. In essence, the petitioner has prayed that proper Rules be framed for making provisions for registration of marriage of people of Sikh community.
3. A counter affidavit has been filed by the State in this case wherein at paragraph 19 it is stated as follows:

*“19. That the contents of paragraph no. 15 of the Writ Petition (PIL) so far same relates to the provisions of*

*Article 19 of the Constitution of India, being matter of record need no further comments. So far rest of the contentions made by the petitioner in the paragraph under reply, are not admitted. It is submitted that in the State of Uttarakhand, under the Uttarakhand Compulsory Registration of Marriage Rules, 2012, formulation of an arrangement / mechanism for registration of Sikh Marriages for the purposes of facilitation of proof of marriage ceremony (commonly known as Anand Karaj) customary among the Sikhs, has been proposed and it took at least three months' time to pass the concerned Rules from the level of Hon'ble Cabinet.*

*It is further submitted that the compulsory registration of all marriages will help in preventing child marriage, check, bigamy or polygamy, help women to exercise their rights of maintenance from husband and custody of children, enable widows to claim inheritance and to serve as deterrent to husband deserting their wives and for matters connected therewith or incidental thereto. Detailed reply in regard to the same has already been given in preceding paragraphs of this counter affidavit, contents whereof are reiterated."*

4. In view of the above, we direct the Chief Secretary, State of Uttarakhand to take appropriate steps for putting the aforesaid proposal before the Cabinet and after approval of the Cabinet also take steps for publishing the same in the Gazette and place the same before the Legislative Assembly.
5. We consider it appropriate that necessary Rules must be framed by the State of Uttarakhand for registration of marriage of people of Sikh community under the Anand Marriage Act, 1909.

6. With above observations, writ petition is disposed of.
7. Let a copy of this order be handed to Shri B.S. Parihar, learned Standing Counsel for the State for early compliance.

**(Ramesh Chandra Khulbe, J.)      (Sanjaya Kumar Mishra)**  
**Acting Chief Justice.**

SKS