

**IN THE COURT OF ADDL. CIVIL JUDGE AND JMFC, PAVAGADA**

Present:- Pallavi. B.Sc., LL.B.,  
**Addl. Civil Judge and JMFC.,**  
**Pavagada.**

**Dated this the 28<sup>th</sup> day of July, 2026**

**Crl. Misc. No.388/2026**

Petitioner : Ramijabi  
D/o Late Dasthagir Khan  
aged about 55 years  
R/o A2 Block, Indra Badavane  
Y.N.Hosakote Town and Hobli  
Pavagada Taluk.

**(Smt. Ghousia Banu)**

Respondent: The Deputy Tahasildar  
The Registrar of Births and Deaths  
Nadakacheri  
Y.N.Hosakote hobli  
Pavagada Taluk.

**(Absent)**

**:: ORDER ::**

This petition is filed by the petitioner under Section 13(3) of Registration of Births and Deaths Act, 1969 seeking an order directing the respondent to make necessary entry of the factum of the birth of the petitioner by condoning the delay in making the necessary entry of the same, as the respondent after verifying the records has issued Non-Availability Certificate, stating that there is no entry regarding date of birth of the petitioner.

2. The petitioner by name Ramijabi D/o late Dasthagir Khan in this petition submits that she was born on 01.06.1971 at mother house Y.N.Hosakote Town and Hobli, Pavagada Taluk, Tumakuru District and after the naming ceremony of petitioner, the petitioner informed the date of birth of the petitioner orally to the respondent. The petitioner had approached the respondent's office to get the birth certificate. But the respondent suggested to concerned relating to registers. The respondent has issuing endorsement dated 04.07.2026 in this regard. Hence, she has approached this court. It is further submitted that, the said birth certificate is required for purpose of Visa and legal necessities.

3. Despite due service of notice, the respondent remained absent.

4. Heard Counsel for the petitioner.

5. On the basis of the above contentions, the following point arise for my consideration.

1. Whether the petitioner has made out sufficient grounds to allow the petition ?

2. What order ?

6. My answer to the above points as follows:

Point No.1 : In the Affirmative.

Point No.2 : As per final order  
for the following:

**-: REASONS:-**

7. The petitioner in order to substantiate her contention, got examined herself as PW.1 by filing her evidence affidavit in lieu of her

examination-in-chief. PW-1 deposed that her birth certificate is necessary for Visa and legal purposes. PW-1 has also produced the non-availability certificate as Ex.P.1. Copy of school admission extract as Ex.P.2. Notarized copy of Aadhar card of petitioner as Ex.P.3. On careful perusal of the documents produced, date of birth of the petitioner is mentioned as 01.06.1971 in Non-availability certificate. Moreover, the evidence placed by the petitioner remains unchallenged. Under these circumstances, I do not find any reasons to disbelieve the evidence of PW-1. Hence, I proceed to answer point No.1 in the Affirmative.

8. POINT No.2 :- In view of my findings on point No.1, I proceed to pass the following:

### **ORDER**

The petition filed by the petitioner is hereby allowed.

The respondent is hereby directed to register the factum of birth of the petitioner namely Ramijabi D/o late Dasthagir Khan who was born on 01.06.1971 on payment of requisite fee and thereafter issue the birth certificate in accordance with law.

(Dictated to the stenographer, corrected by me and then pronounced in open Court on this 28<sup>th</sup> day of July, 2026.)

(Pallavi)  
Addl. Civil Judge and JMFC.,  
Pavagada.

**ANNEXURE**

**LIST OF WITNESSES EXAMINED FOR PETITIONER**

PW.1 – Ramijabi

**LIST OF DOCUMENTS EXHIBITED FOR PETITIONER**

Ex.P.1 – Non Availability Certificate issued by the respondent.

Ex.P.2– Copy of School Admission Extract

Ex.P.3- Notarized copy of Aadhar card of petitioner.

(Pallavi)  
Addl. Civil Judge and JMFC.,  
Pavagada.