

KABC030457082026



**IN THE COURT OF THE XXVII ADDL.CHIEF
JUDICIAL MAGISTRATE, BANGALORE CITY.**

Dated this the 09th day of July, 2026

Present: Sri.SHIVARAJ V SIDDESHWAR
Bsc., B.Ed., LL.B.,
XXVII A.C.J.M Bengaluru.
Crl.MISC.No.6521/2026

Petitioner : Mrs.Pushpa.S,
W/o Bharath.A,
Aged about 36 years,
R/at No.40/7, 2nd Main Road,
2nd Block, Nandini layout,
Bengaluru-560096.

(By Sri.Syed Aleemulla, Advocate)
- Vs -

Respondent : The Commissioner
Registrar of Births & Deaths,
Bangalore Mahanagara Palike,
Bangalore.

ORDER

The Petitioner has filed the petition U/s.13(3) of
Birth and Death Registration Act, 1969.

2. Brief facts of the Petitioner case is as follows :

The Petitioner's daughter by name Ashika B
Gowda, D/o Bharath A and Pushpa S was born on
25-05-2022 No.40/7, 2nd Main, 2nd Block Nandini layout,
Bangalore-560096. Due to lack of knowledge of legal

procedure, the date of birth of the Petitioner's daughter is not intimated to concerned authority. The said fact has come to the knowledge of the Petitioner recently. Immediately, the Petitioner approached the Respondent to issue the certificate. The Respondent has issued non-availability certificate. Petitioner need birth certificate of her daughter for the purpose of documentation. Therefore, the Petitioner is constrained to file the petition.

3. The notice served to the Respondent. The Respondent failed to appear before the court and not filed any objection. Therefore, the Respondent is placed exparte.

4. Now, the following points arise for due consideration. :

1. Whether the Petitioner has made out sufficient grounds to allow the petition?
2. What order?

5. My answer to above points are as under:

Point No.1: In the **Affirmative.**

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

: REASONS :

6. Point No.1 : The Petitioner has filed the petition against the Respondent U/s.13(3) of Birth and Death Registration Act. The Petitioner has contended that her daughter was born on 25-05-2022 at No.40/7, 2nd Main, 2nd Block, Nandini Layout, Bangalore-560096. It is further contended that the fact of birth of petitioner's daughter is not reported to the Respondent due to lack of knowledge of legal procedure. In support of the petition contention,

the Petitioner herself examined as PW1 and reiterated the petition averments. The Respondent has not chosen to file objections. Therefore, the oral evidence of PW1 remains unchallenged.

7. In support of the oral evidence, the Petitioner has produced Study Certificate and NC of Aadhar cards are marked as Ex.P2 to Ex.P4. The documents on record clearly reveal that the Petitioner's daughter was born on 25-05-2022. Admittedly, the date of birth is not mentioned in the concerned register. The Commissioner has issued non-availability certificate. That document is marked as Ex.P.1.

8. The birth of the Petitioner's daughter is not in dispute. The date of birth is not mentioned in the concerned register. The Petitioner has given specific explanation for non-reporting the said fact. In such circumstances, the Petitioner has proved the petition averments. There is no ground to reject the Petitioner contention. The Petitioner has produced relevant documents in support of her daughter date of birth. Therefore, the Petitioner has made out sufficient grounds to allow the petition. Accordingly, my answer to Point No.1 is in the **Affirmative**.

9. Point No.2 : In view of the aforesaid reasons, I proceed to pass the following:

ORDER

***The petition filed by the
Petitioner U/S 13(3) Registration***

of Birth and Death Act is hereby allowed.

The respondent is hereby directed to enter the birth of Petitioner's daughter by name Ashika B Gowda, D/o Bharath.A and Pushpa.S as 25-05-2022 at No.40/7, 2nd Main, 2nd Block Nandini Layout, Bangalore-560096 and issue birth certificate thereon to the Petitioner after collecting late requisite fee.

(Dictated to the Stenographer directly on the computer and print out taken by her, corrected and signed by me and then pronounced in the open Court on this the 9th day of July, 2026)

(Shivaraj V Siddeshwar)
XXVII A.C.J.M., Bengaluru.

ANNEXURE

List of Witnesses examined for the Petitioner :

PW.1 : Pushpa S

List of Witness examined for the Respondent :

Nil

List of Documents marked for the Petitioner :

Ex.P1 : Endorsement issued by the
Commissioner, BBMP.

Ex.P2 : NC of Study Certificate

Ex.P3 & 4 : NC of Aadhar cards

List of Documents marked for the Respondent :

Nil

(Shivaraj V Siddeshwar)
XXVII A.C.J.M., Bengaluru.