

**IN THE COURT OF THE II ADDITIONAL CHIEF JUDICIAL
MAGISTRATE OF BENGALURU CITY**

Dated this the 1st day of April 2026

PRESENT : **SRI.SAHEEL AHMED S. KUNNIBHAVI**, B.Com., LL.B.
(Spl.)
II Additional Chief Judicial Magistrate, Bengaluru City

Cri.Misc.No.1805/2026

PETITIONER : Ayushi Mahara,
Since the child is minor Rep. by her
legal guardian Father
Sri. Bikram Singh Mahara
Aged about 31 years,
R/at No.4, Shivasundaram Apartment,
Pattaiamma Temple Road,
Basavanagudi, Bengaluru-560004.

(By Smt.Kalavathi., Advocate)

V/s

RESPONDENT : The Commissioner/Tahsildar,
Registrar of Births & Deaths,
BBMP, Bengaluru.

(By Smt.Girija B., Advocate)

ORDERS

The petitioner has filed this petition under Section 13(3) of the Registration of Births and Deaths Act, 1969 seeking order to register the birth of his daughter and to issue Birth Certificate.

2. The petitioner has contended that his daughter by name

Ayushi Mahara was born on 17.05.2020 and due to ignorance of law and procedure they have not registered her date of birth with the respondent. The Birth Certificate is now required for documentation purpose. When they approached the respondent for Birth Certificate, they have issued Non-Availability Certificate. Hence, this petition.

3. The respondent filed objections to the said application.

4. The points that would arise for my consideration are as follows:-

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

2. What order?

5. My findings on the 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** : It is contended by the petitioner that his daughter by name Ayushi Mahara was born on 17.05.2020 and her birth particulars are not entered in the Register of the

respondent. The petitioner was examined as PW1 and got marked Ex.P1 to Ex.P6 documents. Ex.P1 is the Non-availability Certificate, Ex.P2 and Ex.P3 are the notarized copies of Aadhar Cards of the petitioner and his wife respectively. Ex.P4 is the copy of Rental Agreement of the petitioner. Ex.P5 is the Employment letter of the petitioner and Ex.P6 is the Birth Certificate issued by Joshi Hospital, Chamarajpet, Bengaluru dated 18.07.2025 that the daughter of the petitioner was born on 17.05.2020.

7. On perusal of Ex.P6 Birth Certificate issued by Joshi Hospital, Chamarajpet, Bengaluru, it appears that the date of birth of the daughter of the petitioner is 17.05.2020. I verified the originals. From the above evidence, the petitioner has proved that his daughter was born on 17.05.2020. The petitioner has made out sufficient grounds to allow the petition. Hence, I answer **Point No.1 in Affirmative.**

8. **POINT NO.2** :- In view of the above findings on Point No.1, I proceed to pass the following:

ORDERS

The Petition filed by the petitioner under Section 13(3) of the Registration of Births and Deaths Act, 1969 is hereby allowed.

The respondent is directed to enter the event of birth of the daughter of the petitioner by name Ayushi Mahara, D/o Bikram Singh Mahara and Smt.Hemanshi Kshetri was born on 17.05.2020 at No.4, Shivasundaram Apartment, Pattaiaamma Temple Road, Basavanagudi, Bengaluru-560004 and issue the birth certificate to the petitioner by collecting necessary fees.

It is made clear that the direction given in this case binds only the Petitioner and respondent in this case i.e., parties to this proceeding.

No order as to cost.

(Typed by Stenographer in the Court computer on my direct dictation, printout taken, corrected and then pronounced by me in the Open Court on this the 1st day of April 2026.)

(SAHEEL AHMED S. KUNNIBHAVI)
II Addl. Chief Judicial Magistrate,
Bengaluru City.

ANNEXURE**List of witnesses examined on behalf of the Petitioner :**

PW1 : Sri. Bikram Singh Mahara.

List of documents marked on behalf of the Petitioner :

Ex.P1 : Non-Availability Certificate,
Ex.P2 & 3 : Notarized Aadhar Cards,
Ex.P4 : Notarized Rental Agreement,
Ex.P5 : Employment letter,
Ex.P6 : Birth Certificate issued by Joshi Hospital.

List of witnesses examined on behalf of the Respondent :

- NIL-

List of documents marked on behalf of the Respondent :

- NIL -

II Addl. Chief Judicial Magistrate,
Bengaluru City.