

**IN THE COURT OF THE I ADDL.C.J.M, BENGALURU**

Dated: This the 27<sup>th</sup> day of May - 2026

**PRESENT: Sri. MANJUNATHA.K.P,**  
B.A.L., LL.B.,  
I Addl. Chief Judicial Magistrate, Bengaluru.

**Crl.Misc.No.3100/2026**

**PETITIONER :-**

1. Mumtaj D/o. Late Kasim Bai,  
Aged about 67 years,
2. A.K Babu S/o. Kasim Bai,  
Aged about 65 years

Both are R/at.No.14,  
1<sup>st</sup> Main, BHEL  
Mini Colony,  
Mallasandra,  
Bengaluru North,  
Bengaluru – 560 057.

(By Smt. Naleena D., Adv.,)

V/s

**RESPONDENT :-** THE REGISTRAR BIRTH AND  
DEATHS, BBMP BENGALURU

**ORDER**

This petition filed U/s.13(3) of Birth and Death  
Registration Act, 1969 seeking direction to the respondent to  
record date of death of deceased Goribi Kasim Bai.

2. **BRIEF FACTS:-**

The petitioner's submit that, deceased Goribi Kasim Bai is mother of petitioner's No.1 and 2 who has died on 16.10.2018. However due to ignorance of the petitioner's have not complied with the registration of the death of Goribi Kasim Bai. The petitioner's are in need of their mother death certificate. Hence this petition.

3. Notice to the respondent, which is duly served. In spite of due service of notice, respondent has remained absent. Hence, respondent is placed exparte.

4. The petitioner is examined as P.W.1 and got marked Ex.P.1 to Ex.P.5.

5. Heard the arguments. Perused materials placed on record.

6. The following points would arise for my determination:-

1. Whether the petitioner's have placed sufficient materials on record to establish that their mother Goribi Kasim Bai has died on 16.10.2018?
2. What order?

7. My findings on the above points as under:

Point No.1 - In the Affirmative

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

**REASONS**

8. **Point No.1:-** PW.1 submits that his mother Goribi Kasim Bai has died on 16.10.2018. However due to ignorance her date of death is not recorded in the register of death. PW.1 is in need of his mother death certificate. PW.1 has produced Non-availability certificate issued by the respondent which is marked at Ex.P.1, Two paper (Business Standard and Hosa Diganta) publications on 11.03.2026 which are marked at Ex.P.2 and Ex.P.3, Family Tree Affidavit which is marked at Ex.P.4 and Cemetery Report which is at Ex.P.5.

9. The oral and documentary evidence tendered by PW.1 has gone unchallenged as the respondent has remained absent. On considering the evidence on record, I am of the view that PW.1 has established that his mother Goribi Kasim Bai has died on 16.10.2018. However due to inadvertence the death of deceased Goribi Kasim Bai is not recorded in the Register of Deaths. Therefore in order to do substantial justice, the date of death of the deceased Goribi Kasim Bai is required to be registered. Hence, I answer point No.1 in the **AFFIRMATIVE**.

10. **Point No.2:** For the foregoing reasons, I proceed to pass the following:-

**ORDER**

The petition is **ALLOWED**.

The Respondent is directed to cause an entry of date of death of **GORIBI KASIM BAI** who has died on **16.10.2018**, in the Register of Birth and Death on payment of prescribed fee and issue death certificate to the petitioner in accordance to law.

*=(Typed by the steno as dictated by me on the computer and same was corrected by me and then pronounced in open Court on this the 27<sup>th</sup> May – 2026)*

(Manjunatha.K.P)  
I Addl.CJM, BENGALURU

**ANNEXURES**

**LIST OF WITNESSES EXAMINED**

PW.1                      A.K Babu

**LIST OF EXHIBITS MARKED**

|            |                              |
|------------|------------------------------|
| Ex.P.1     | Non availability certificate |
| Ex.P.2 & 3 | Two paper publications       |
| Ex.P.4     | Family Tree Affidavit        |
| Ex.P.5     | Cemetery Report              |

(Manjunatha.K.P)  
I Addl.CJM, BENGALURU

**27.05.2026**

Petitioner's  
For orders

**(Separate order pronounced in the Open Court)**

**ORDER**

The petition is **ALLOWED**.

The Respondent is directed to cause an entry of date of death of **GORIBI KASIM BAI** who has died on **16.10.2018**, in the Register of Birth and Death on payment of prescribed fee and issue death certificate to the petitioner in accordance to law.

I Addl.CJM

