

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

Dated this the 2nd 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.3938/2026

PETITIONER : Abdul Haseeb, S/o Abdul Rehaman,
Aged about 44 years,
R/at Flat No.101, 1st Floor,
9/1, Dr.Sheriff Road, Basavanagudi,
Bengaluru - 560004.

(By Smt.Kalavathi S., Advocate)

V/s

RESPONDENT : The Registrar/Commissioner
of Births and Deaths Section,
Legal Cell, 5th Floor, BBMP Office,
N.R.Square, Bengaluru-560002.

(By Smt.Girija B., Advocate)

ORDERS

The petitioner has filed this petition U/s 13(3) of the Registration of Births & Deaths Act, 1969 seeking directions to register his birth and to issue Birth Certificate.

2. The petitioner has contended that he was born on 09.02.1981 and due to ignorance of law and procedure his parents have not registered his birth with the respondent. He requires the

Birth Certificate for documentation purpose. When he approached the respondent for Birth Certificate, they issued the Non-Availability Certificate. Hence, this petition is filed.

3. The respondent has filed statement of objections.
4. Heard both sides. Perused the materials on record.
5. 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?

6. 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

7. **POINT No.1** : The petitioner has contended that he was born on 09.02.1981 and his birth particulars are not entered in the Register of the respondent. He was examined as PW1 and got marked Ex.P1 to Ex.P4 documents. Ex.P1 is the Non-Availability Certificate, Ex.P2 to Ex.P4 are the notarized copies of Aadhar

Card, PAN Card and Election Identity Card of the petitioner respectively.

8. On perusal of Ex.P2 and Ex.4 documentary evidences, the date of birth of the petitioner is proved as 09.02.1981. I verified its originals. The petitioner has made out sufficient grounds to allow the petition. Hence, I answer **Point No.1 in Affirmative**.

9. **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 petitioner by name Abdul Haseeb, S/o Abdul Rehaman and Smt.Zareena as 09.02.1981 at Flat No.101, 1st Floor, 9/1, Dr.Sheriff 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 2nd 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 : Abdul Haseeb.

List of documents marked on behalf of the Petitioner :

Ex.P1 : Non-Availability Certificate,
Ex.P2 : Notarized copy of Aadhar Card,
Ex.P3 : Notarized copy of PAN Card,
Ex.P4 : Notarized copy of Election Identity Card.

List of witnesses examined on behalf of the Respondent :

- NIL-

List of documents marked on behalf of the Respondent :

- NIL -

II ACJM, Bengaluru City.