

ORDER

The Petitioner has filed this petition U/S.13(3) of Births and Deaths Registration Act 1969.

2. **The petitioner case in brief as follows :**

In the petition it is stated that, the petitioner by name **Daali D/o Sunil H.B.** was born on 15.03.2022 at Srinivasa Hospital, Kadur town, Chickkamagaluru District. Further deposed that, due to lack of knowledge of the parents of the petitioner, her date of birth had not been entered in the registers of the Respondent authorities, but birth certificate is produce before the education authorities.

3. Further, the petitioner filed application before the respondent requesting for issue of birth certificate of petitioner, as she was born on Srinivasa Hospital, Kadur town, Chickkamagaluru District. But the respondent issued non availability certificate dated 10.10.2023 stating that there are no entries in the birth register regarding date of birth of the petitioner. Hence, the petitioner has approached this Court for issue of direction to the respondent to register the date of birth of her on 15.03.2022 and to issue birth certificate in favour of the petitioner.

4. The respondent has remained absent and placed ex-parte.

5. The petitioner natural guardian her mother examined as PW.1 and got marked documents as per Ex.P1 to Ex.P3. The Ex.P1 is Non-availability certificate and Ex.P2 is the Mother card, Ex.P3 is the notarized copy of Aadhar Card.

6. Heard the arguments.

7. The evidence of petitioner has remained unchallenged and unrebutted without under going the test of the cross-examination. Moreover, to decide the date of birth of the person, if not available of birth certificate the petitioner, the mother card is well evidence. Hence, as per Ex.P2 is the mother card of the petitioner's mother is enough to consider the birth of the petitioner. As per the Ex.P.2, the petitioner born on 15.03.2022. Hence this court is of the opinion that the petitioner has established that she was born on 15.03.2022 and entitle for the relief as sought for. Hence, based on the above reasons, the petition deserves to be allowed.

ORDER

The petition filed by the petitioner U/S.13(3) of Registration of Birth and Death Act 1969 is hereby allowed subject to liberty to challenge the contrary.

The respondent is hereby directed to make entry of the date of birth the petitioner **Daali D/o Sunil H.B. was born on 15.03.2022 at Srinivasa Hospital, Kadur town, Chickkamagaluru District** in the register of Birth and Death after taking prescribed fee.

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**Prl.Civil Judge and J.M.F.C.
Kadur.**