

ORDER

The Petitioner's son by name Abdul Uzair S/o Abdul Junaid and Najma has filed this petition under section 13(3) of the Birth and deaths Registration Act stating that Petitioner's son was born on 07.03.2016, due to ignorance, the same is not intimated to the respondent's office within the prescribed time. When the petitioner approached the respondent's office for issue of birth certificate of Petitioner's son, respondent's office issued non availability certificate. The petitioner submitted that her son's birth certificate is required for bonafide purpose and no prejudice is likely to be caused to the respondent if the petition is allowed. Hence, prayed to allow the petition.

The notice has been served upon the respondent and the respondent has appeared through counsel and objection is filed to the petition.

In support of the petition the petitioner has got himself examined as P.W.1 and filed affidavit in lieu of chief examination and relied upon Ex.P1 to Ex.P3

Heard learned counsel for the petitioner.

On perusal of Exs.P1 to Ex.P3 it discloses that, the date of birth of the petitioner is mentioned as 07.03.2016. Nothing is elicited in the cross-examination to disprove the case of the petitioner. There is no inconsistency in the evidence adduced by the petitioner. Hence, there is no reason to disbelieve the version of the petitioner since it is supported by oral and documentary evidence. Hence on satisfaction, I proceed to pass the following:

ORDER

Petition is hereby allowed.

Issue directions to the respondent to enter the date of birth of the petitioner's son by name Abdul Uzair S/o Abdul Junaid and Najma as 07.03.2016 after collecting applicable fee and other particulars if any as contemplated under law.

There is no order as to costs.

II ACMM, Bengaluru.

