

KAKB220007362026



**THE COURT OF THE PRL. CIVIL JUDGE AND J.M.F.C., AT :
ALAND**

Dated this 25th day of May 2026

Miss. Suman Chitargi,
B.Com., L.L.M.,
Prl. Civil Judge and JMFC, Aland.

Cri.Misc.No.609/2026

Petitioner :

Ayesha Bi D/o Rauf Zhippare,
Age: 20 years, Occ: Household R/o.
New Ansari Mohalla Hebli Road Aland,
Tq: Aland, Dist: Kalaburagi-585302.

[By Sri.R.M.Tole, Advocate]

Respondent :

The Registrar of Birth and Death Chief officer
TMC. Aland, Tq:Aland, Dist: Kalaburagi

(Ex.Parte)

ORDER

This is Petition U/sec.13(3) of the Registration of Births and Deaths Act 1969.

2. The case of the petitioner in brief is as under:

Petitioner is permanent resident of New Ansari Mohalla Hebli Road Aland, Tq: Aland Dist: Kalaburagi, and at the time of her birth her family members residing in New Ansari Mohalla Hebli

Road Aland Tq: Aland. Further stated that she was born on 14-11-2005 at New Ansari Mohalla Hebli Road Aland, Tq: Aland. Due to oversight, the said event was not registered in the register of Births and Deaths maintained by the Respondent. Now she needs the Birth certificate for obtaining for Govt. Benefits etc., she applied to respondent for issuance of birth certificate. But, respondent issued endorsement stating the non-entry of her birth in the concerned register. Hence, this petition.

3. Notice of the Petition was served to the Respondent. But he remained absent. Hence, he was placed ex.parte.

4. Petitioner in order to prove her case, herself examined as PW-1. She produced documents which is marked as Ex.P1 and P2.

5. Heard the learned counsel for the Petitioner. Perused the materials on records.

6. On the basis of the assertions of Petitioner, the following points arise for consideration:

1. Whether the petitioner has made out grounds to allow the petition as prayed for ?

2. What order?

7. The answer to the above said points are as under:

Point No.1 : In the Affirmative.

Point No.2 : As per final order, for the following :

REASONS

8. **Point No.1:-** PW1 has filed affidavit in lieu of chief examination and deposed in line with the petition averments. She produced documents marked at Ex.P.1 and P2. Ex.P1 is the non-availability certificate issued by Respondent, Ex.P.2 is the S.S.L.C Marks Card. The above said oral and documentary evidence

corroborates the claim of PW-1 about date of birth and its non-entry in the concerned register. Thus, she has discharged the initial burden placed on her.

9. In spite of service of notice to the Respondent, she has not appeared and contested the claim of PW-1. Hence, the say of PW-1 has gone unchallenged. Even otherwise the oral and documentary evidence produced by the Petitioner proves the date of birth and its non-registration in the concerned register. No reason is made out to disbelieve the assertion of PW-1. Hence, a direction is necessary to be issued to the respondent to register the date of birth of the Petitioner in the concerned register, or else she will be put to great hardship. Hence, **Point No.1 is answered in the Affirmative.**

10. **Point no.2:** - In view of the above discussion, the following:

ORDER

The petition filed U/sec 13(3) of the Registration of Births and Deaths Act, is hereby allowed.

The respondent is directed to enter the date of birth of petitioner namely Ayesha Bi D/o Rauf Zhippare born on 14-11-2005 at New Ansari Mohalla Hebli Road Aland, Tq: Aland, Dist: Kalaburagi in the concerned records and issue Birth Certificate to the petitioner after collecting prescribed fees.

It is clarified that this order shall not be conclusive proof regarding date of birth of

petitioner namely Ayesha Bi D/o Rauf Zhippare born on 14-11-2005 at New Ansari Mohalla Hebli Road Aland, Tq: Aland, Dist: Kalaburagi, if it is disputed in any civil or criminal proceedings.

No order as to costs.

(Dictated to the Stenographer directly on computer, typed by him, corrected by me, then pronounced by me in the open court this the 25th day of May-2026).

(Suman Chitargi)

**Prl. Civil Judge and JMFC,
Aland.**

: ANNEXURE :

Witnesses examined for the Petitioner:

PW-1 : Ayesha Bi D/o Rauf Zhippare

Witnesses examined for the Respondent:

- Nil-

Documents marked for the Petitioner:

Ex.P.1 : Non-Availability Certificate

Ex.P.2 : S.S.L.C Marks Card.

Documents marked for the respondent:

- Nil -

**Prl. Civil Judge and JMFC,
Aland.**

(Order Pronounced in the Open Court, Vide Separate Order)

ORDER

The petition filed U/sec 13(3) of the Registration of Births and Deaths Act, is hereby allowed.

The respondent is directed to enter the date of birth of petitioner namely Ayesha Bi D/o Rauf Zhippare born on 14-11-2005 at New Ansari Mohalla Hebli Road Aland, Tq: Aland, Dist: Kalaburagi, in the concerned records and issue Birth Certificate to the petitioner after collecting prescribed fees.

It is clarified that this order shall not be conclusive proof regarding date of birth of petitioner namely Ayesha Bi D/o Rauf Zhippare born on 14-11-2005 at New Ansari Mohalla Hebli Road Aland, Tq: Aland, Dist: Kalaburagi, if it is disputed in any civil or criminal proceedings.

No order as to costs.

Prl. Civil Judge and JMFC., ALAND