

KAKB220117852025



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

Dated this 16th day of March 2026

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

Cri.Misc.No.3899/2025

Petitioner :

Ashabee D/o Shamshoddin Patawadi (W/o Md. Ishaq Saidu Wale) Age: 53 years, Occ: Household, R/o Bangadi Peer Colony Aland, Tq: Aland, Dist. Kalaburagi,

[By Shri.B.V.Kasture, Advocate]

Respondent :

The Registrar of Birth and Death through
The Chief Officer T.M.C 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 at Bangadi Peer Colony Aland, Dist. Kalaburagi and at the time of her birth her family members residing in Bangadi Peer Colony Aland. Further stated that she was born on 10-01-1977 at Bangadi Peer Colony Aland, Tq. Aland, Dist. Kalaburagi. 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 Education and 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 she has examined herself as PW-1. He produced documents which is marked as Ex.P1 and 2.

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. He produced documents marked at Ex.P1 and Ex.P2. Ex.P1 is the non-availability certificate issued by Respondent, Ex-P2 is the Election Identity 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 he 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 Ashabee D/o Shamshoddin Patawadi on 10-01-1977 at Bangadi Peer Colony 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 Ashabee D/o Shamshoddin Patawadi on 10-01-1977 at Bangadi Peer Colony Aland, Tq. Aland, Dist. Kalaburagi, if it is disputed in any civil or criminal proceedings.

No order as to costs.

(Dictated to the Typist **directly on computer**, typed by her, corrected by me, then pronounced by me in the open court this the 16th day of March 2026).

**(Suman Chitargi)
Prl. Civil Judge and JMFC,
Aland.**

: ANNEXURE:

Witnesses examined for the Petitioner:

PW-1 : Ashabee D/o Shamshoddin Patawadi

Witnesses examined for the Respondent:

- Nil-

Documents marked for the Petitioner:

Ex.P.1 : Non-Availability Certificate

Ex.P.2 : Election Identity Card

Documents marked for the respondent:

- Nil-

**(Suman Chitargi)
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 Ashabee D/o Shamshoddin Patawadi on 10-01-1977 at Bangadi Peer Colony 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 Ashabee D/o Shamshoddin Patawadi on 10-01-1977 at Bangadi Peer Colony 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.**