

IN THE COURT OF CIVIL JUDGE & J.M.F.C., CHITTAPUR

Present

SRI. ABHISHEK RAMACHANDRA JOSHI
B.A.L., LL.B.
Civil Judge & JMFC,
Chittapur

CrI.Misc.No.191/2026

DATED: THIS THE 9th DAY OF March 2026

PETITIONER:

Navaneet Pawar S/o Vinod Kesu,
Age: 03 years, (Minor), Occ: Nil,
Through U/Guardian His natural
Father by Vinod Kesu S/o Kesu,
Age: 43 years, Occ: Govt. Teacher,
R/o H.No.4/12, Chincholi (H)
Tanda, Tq: Kalagi, Dist: Kalaburagi.

(By Sri R. S. Teli., Advocate)

// Versus //

RESPONDENT:

The Birth & Death Registrar Office,
The Tahasildar Kalagi,
(Kalagi Police Station)

(Exparte)

**ORDERS ON PETITION FILED U/S 13 (3) OF
REGISTRATION OF BIRTHS AND DEATHS ACT, 1969**

This petition is filed U/s 13 (3) of the Karnataka Births and Deaths Registration Act 1969, by Navaneet Pawar S/o Vinod Kesu through his guardian/father by name Vinod Kesu S/o Kesu.

2. **Brief facts:-** That, minor petitioner was born on 21.05.2023 at Chincholi (H) Tanda, Tq: Kalagi, Dist: Kalaburagi. The minor petitioner's father informed to the concerned authority as to the registration of date of birth of the minor petitioner to the concerned records, but the respondent has not registered the birth record. The father of the minor petitioner approached the respondent and sought the birth certificate, but the respondent expressed his inability and has issued non availability certificate to that effect on 05.02.2026. The minor petitioner requires the birth certificate of obtaining the educational purpose, future requirements and Government facilities. Hence, this petition.

3. In spite of service of notice, the respondent remained absent. Hence he placed Exparte.
4. The minor guardian of the petitioner i.e., his father is examined himself as PW.1 and in his evidence he got marked 3 documents at Ex.P.1 to Ex.P.3.
5. Heard the arguments. Perused the records.
6. The point that would arise for my consideration is;

***“Whether the prayer made in the
petition can be granted?”***

7. I answer the above point in **Affirmative** for the following.

REASONS

8. It is the case of petitioner is that, the minor petitioner's father informed about the birth of minor petitioner to the respondents, but the respondents have not registered the same in the birth records. The petitioner was born on 21.05.2023 at Chincholi (H) Tanda, Tq: Kalagi, Dist: Kalaburagi. The petitioner's father approached the

- respondent and sought for issuance of birth certificate, for which the respondent authorities have given non-availability certificate as per Ex.P.2, stating that there is no entry in the register of birth in respect of petitioner's birth. Hence, the petitioner approached the Court.
9. The minor petitioner's father examined as PW.1 and in his evidence he reiterated the facts stated in the petition and got marked Ex.P1 is the application and non-availability certificate i.e., Ex.P.2 and Ex.P.3 is the notarized copy of Aadhaar Card.
 10. The minor petitioner was born on 21.05.2023 at Chincholi (H) Tanda, Tq: Kalagi, Dist: Kalaburagi. On perusal of the entire case records, it reveals that, the respondent has not appeared before this Court and placed Ex-parte. The evidence of the PW.1 remained unchallenged. Hence, I have no reason to disbelieve the evidence of PW.1. On perusal of Ex.P.2 and evidence, I am satisfied that, there is no entry of birth date of

petitioner in the respondent Office. It is well settled proposition of law that, a petition for birth entry has to be entertained, if certain facts proved. Hence, it is necessary to direct the respondent to issue the birth Certificate of petitioner **Navaneet Pawar S/o Vinod Kesu**. However, this inference is not the conclusive proof of relationship or birth if the birth is disputed in any Civil or Criminal proceedings. In the light of these discussions, I answer the Point No.1 in the affirmative and pass the following order;

ORDER

The petition filed by the petitioner under Section 13 (3) of Registration of Births and Deaths Act, is hereby allowed.

The respondent is directed to enter the date of birth of petitioner **Navaneet Pawar S/o Vinod Kesu, as 21.05.2023**, in the concerned register

and issue birth certificate accordingly,
subject to payment of prescribed fee and
penalty.

(Dictated to the Stenographer directly on Computer and typed by her, corrected and then pronounced by me in open court on this the 9th day of March 2026)

(ABHISHEK RAMACHANDRA JOSHI)
Civil Judge & JMFC.,
Chittapur

ANNEXURE**LIST OF WITNESSES EXAMINED ON BEHALF OF PETITIONER:**

PW.1 : Vinod Kesu S/o Kesu

LIST OF WITNESSES EXAMINED ON BEHALF OF RESPONDENT:

-NIL-

LIST OF DOCUMENTS MARKED ON BEHALF OF PETITIONER:

Ex.P.1 : Application

Ex.P.2 : Non-availability certificate.

Ex.P.3 : Notarized attested copy of Aadhaar Card

LIST OF DOCUMENTS MARKED ON BEHALF OF RESPONDENT:

-NIL-

C.J. & J.M.F.C., Chittapur

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*(Vide separate order passed and pronounced in the
Open Court.)*

ORDER

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**Civil Judge & JMFC.,
Chittapur.**