

MHPU130016942022



Received on : 15-10-2022
Registered on : 19-10-2022
Decided on : 16-12-2022
Year Month Day
: 00 02 00

IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS, AT

SASWAD

(Presided over by : MD. TAHER BILAL)

Criminal Misc. Application No.281/2022

Exh.No.10.

Sukhdeo Manohar Bhise,
Age:- 42 years, Occu:- Agri. & Service,
r/o. S 16-206, Sadesatara nali, Gosavi vasti,
Hadapsar, Pune 411 028.

..APPLICANT

VERSUS

Gram Sevak,
Gram Panchayat, Panwadi,
Panwadi, Tal. Purandar, Dist. Pune.

..RESPONDENT

CLAIM: Application under Section 13(3) of the Registration of Births and Deaths Act, 1969.

Appearance :

Mr. B. S. Borkar, advocate for applicant.

JUDGMENT

(Delivered on 16/12/2022)

1. This is an application under Section 13 (3) of the Registration of Births and Deaths Act, 1969. This application is supported by affidavit Exh.5 of the applicant.

2. Facts as stated in the application, in brief, are as under :

Applicant's mother namely Draupadabai Manohar Bhise died on 08/01/1981 at Panwadi, Tal. Purandar, Dist. Pune. The entry of date of death of his mother was not recorded in Gram Panchayat, Panwadi, Tal. Purandar, Dist. Pune inadvertently. He requires death certificate of his mother for some official purpose. Hence, this application is filed.

3. In support of contentions, applicant examined himself at Exh.8 by filing his evidence-affidavit. He almost reiterated same contentions in his evidence-affidavit as are contained in his main application Exh.1. Notice to respondent was served as per record.

4. During evidence applicant relied upon the original copy of non-availability Certificate dated 10/10/2022 which is issued by Gram Sevak, Gram Panchayat, Panwadi, Tal. Purandar, Dist. Pune as per record. This certificate shows that the entry of date of death of applicant's mother is not available in death register of Gram Panchayat, Panwadi. Applicant also relied upon paper proclamation issued in Newspaper "Prabhat" which was published on 15/11/2022 as per record. However, this court has not received any objection from public regarding this paper proclamation.

5. There is no reason to disbelieve evidence of applicant and documentary evidence as detailed above. It is a common knowledge that registration of birth or death is necessary for

certain legal purposes. Considering grounds mentioned by applicant, legal provisions and documentary evidence on record, this court is satisfied about correctness of this application and hence I am of the considered view that application deserves to be allowed in the following manner-

ORDER

The Gram Sevak, Gram Panchayat, Panwadi, Tal. Purandar, Dist. Pune is directed to take entry of death of deceased Draupadabai Manohar Bhise having date of death as **08/01/1981** in the concerned death record, on payment of prescribed fees as per rules.

Date: 16/12/2022.

(Md. Taher Bilal)
Judicial Magistrate First Class
Saswad.

CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment are same word for word as per original Judgment.

Name of Steno : S. S. Gupte, Stenographer, (Grade III)

Court Name : Shri. Md. Taher Bilal
Civil Judge Jr. Division, Saswad.

Date of Order : 16/12/2022

Judgment signed by presiding officer on : 16/12/2022

Judgment uploaded on : 17/12/2022