

ORDERS

The petitioner has filed this petition U/Sec.13(3)(b) of the Registration of Births and Deaths Act, seeking order from this Court for issuance of directions to Respondent No.1 to register her date of birth in the Birth and Death Register maintained by the Respondent No.1.

After due service of the notice to the respondent No.1 and 2, the respondents remained absent and were placed exparte.

In order to prove the case, the petitioner got examined on oath as PW.1 and got marked 3 documents as Exs.P.1 to Ex.p.3 and reiterated the averments of the petition by filing her examination-in-chief of affidavit.

In order to prove and substantiate her case under Sec.13(3) of the Registration of Births and Deaths Act, 1969 and under Rule 9(3) of Karnataka Registration of Births and Deaths Rules, 1999, the petitioner i.e., PW-1 has also produced the Non-Availability Certificate as Ex.P.1, Ex.p.2 is the original SSLC marks card of the petitioner and Ex.p.3 is the original Aadhar card of the petitioner

Further, it is to be noted that, the respondents did not appear and were placed exparte. Neither, there is any objection filed by the respondents nor any cross examination of PW.1 is made. Under such circumstances, the contention of the petitioner cannot be disbelieved. Taking into consideration of the evidence on record, this court is of the opinion that the petitioner has made out sufficient grounds to allow this petition. Based on the materials on record, this court is of the opinion that all the reasons and the grounds stated in Section 13(3) of The Registration of Births and Deaths Act is duly complied by the petitioner. Hence, this court proceeds to pass the following-

ORDER

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

The respondent No.1 is hereby directed to enter the date of birth of the petitioner by **Smt.Sowmya.M D/o Muddegowda**, who was born on **10.09.2007** at **Kalligowdanadoddi Village, Mullahalli Dhakle and Post, Kanakapura Taluk, Bengaluru South District** in the Birth and Death Register maintained by the respondent No.1.

The respondent No.1 is hereby directed to issue the birth certificate after collecting the necessary fees as required from the petitioner.

The said entry shall not be a conclusive proof of birth of the petitioner in cases of any civil dispute.

Issue intimation to the concerned authority.

Sd/-

(Lathashree B.V.)

I Addl., Civil Judge & JMFC,
Kanakapura.