



**IN THE COURT OF I ADDL. CIVIL JUDGE & JMFC, AT
KUNDAPURA.**

-.Present:-

SRI. SHRINIVASA.K.R., B.A.L.,LL.M.,
I Addl. Civil Judge & J.M.F.C.,
Kundapura.

DATED THIS THE 30th DAY OF JULY, 2026

Criminal. Misc. No.18/2026

PETITIONER : Shabbir Ahmad,
S/o. Ahmad Saheb,
Aged about 72 years,
R/at House No. 2-160, Mel pete
Hiliyana Post,
Bramhavara Taluk,
Udupi District.

(By Sri/Smt. A.B.G., Advocate)

// Versus //

RESPONDENT: The Tahsildar,
Taluk Office, Kundapura,
Kundapura Taluk.

(Ex-parte)

O R D E R

The petitioner has filed this petition Under Section 13(3) of the Registration of Birth and Death Act, seeking direction to the respondent to enter his daughter date of birth as **16.07.1979** in the concerned records, and issue birth certificate accordingly.



2. The brief facts of the case are :

It is the case of the petitioner that, the petitioner's daughter was born on **16.07.1979**, at Hosadu Village, Kundapura Taluk. That by oversight at the time of birth of the petitioner's daughter, the entry of date of birth is not entered in the Birth Register maintained by the respondent. As the petitioner wanted birth certificate for **Passport** purpose, petitioner approached the respondent for issuance of his daughter birth certificate. But he was informed that, his daughter date of birth was not registered in the records and in this regard the non-availability certificate was issued by the respondent. It is averred that, his daughter birth certificate is very much needed, Hence, this petition.

3. Though the notice was duly served on the respondent, the respondent remained absent before the Court and hence placed as Ex-parte by the order of this Court.



4. In order to prove his case, the petitioner is examined as PW-1 and got marked 4 documents as Ex.P-1 and Ex.P-4.

5. I have heard the counsel for the petitioner.

6. The points arise for the determination of the case are as follows:

1. Whether the petitioner proves that petitioner's daughter was born on **16.07.1979**?
2. Whether the petitioner is entitled for the relief claimed in the petition ?
3. What order?

7. My answer to the above points are as follows:

Point No.1: In the Affirmative.

Point No.2: In the Affirmative.

Point No.3: As per final order
for the following:

REASONS

8. **Point No.1:-** In order to prove the case of petitioner, the petitioner is examined as PW-1. It is the evidence of PW-1 that, petitioner's daughter was born on **16.07.1979** at Hosadu Village, Kundapura Taluk, Udupi District and due to oversight the concerned authority not



entered the date of birth of the petitioner's daughter in the concerned Registers. In support of his evidence, certain documents are produced. Ex.P-1 is non-availability certificate, which shows that, the date of birth of petitioner's daughter has not been entered in the birth and death register maintained by the respondent. Ex.P-2 and Ex.P-3 are the Notarized Aadhaar Cards. Ex.P-4 is the Transfer Certificate.

9. The evidence of PW-1 and the documentary evidence have remained unchallenged and uncontroverted. As such, the Court finds no reasons to disbelieve the case of the petitioner. Consequently, I hold that the petitioner has proved that his daughter date of birth is **16.07.1979** and accordingly, I answer point No.1 in the **Affirmative**.

10. **Point No.2:-** As the petitioner has proved that, his daughter date of birth is **16.07.1979** hence he is entitled for the relief claimed in the petition. Hence, I answer point No.2 in the **Affirmative**.



11. **Point No.3:-** In view of the above reasons, I proceed to pass the following:

O R D E R

The petition filed by the petitioner Under Section 13(3) of the Birth and Deaths Act, is allowed.

Consequently, the respondent is directed to enter the date of birth of petitioner's daughter by name **Munawwara Sultana, D/o. Shabbir Ahmad** and **Mumabi** as on **16.07.1979**, at Hosadu Village, Kundapura Taluk, Udupi District, in the concerned register, subject to payment of prescribed late fee if any.

(Dictated to the Stenographer directly on the computer, typed by her, corrected by me and then pronounced in the open court on this 30th day of July, 2026.)

(Shrinivasa. K.R)
I Addl. Civil Judge & J.M.F.C.,
Kundapura.

A N N E X U R E

List of witnesses examined on behalf of Petitioner:

PW-1 : Sri.Shabbir Ahmad, S/o Ahamad Saheb

**List of exhibits marked on behalf of Petitioner:**

Ex.P-1 : Non-availability certificate.

Ex.P-2 &3 : Notarized Aadhaar Cards.

Ex.P-4 : Notarized Transfer Certificate.

List of witnesses marked on behalf of Respondent

- - N I L - -

List of exhibits marked on behalf of Respondent

- - N I L - -

(Shrinivasa. K.R)
I Addl. Civil Judge & J.M.F.C.,
Kundapura.

**Order pronounced in the Open Court****{Vide Separate Order}****O R D E R**

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**I Addl. Civil Judge & JMFC,
Kundapura.**