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CRL.MISC.NO.739/2026



**IN THE COURT OF THE PRL CIVIL JUDGE & JMFC, AT
YADGIR**

**PRESENT:- SRI. ARUN CHOUGULE
B.A., LL.B,[HONS.]**

PRL.CIVIL JUDGE & J.M.F.C, YADGIRI.

DATED: THIS THE 24th DAY OF JUNE-2026

CRL.MISC.NO.739/2026

PETITIONER'S : Bushra Begum D/o Abdul Gafoor,
Aged : 26 years, Occ: Household,
R/o Mominpur Gurumitkal,
Tq: Gurumitkal, Dist: Yadgiri.

(By Sri.L.S.R Advocate)

V/s.

RESPONDENT : The Chief Officer T.M.C, Yadgiri.

(Absent)

ORDER

The petitioner has filed this petition U/Sec. 13(3) of the Registration of Births and Deaths Act, 1969 seeking to direct the respondent to enter her date of birth as 02.08.2000 in the concerned register and to issue the birth certificate.

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**2. The brief facts of the petitioner's case are that:**

That, the petitioner was born on 02.08.2000 in her parental house at Gurumitkal, Tq: Gurumitkla, Dist: Yadgiri. However, through oversight, the event of the birth of the petitioner was not communicated to the office of Respondent. Thereafter, the petitioner being in need of her birth certificate for availing Government benefits and other purposes made an application to the respondent's office seeking to issue her birth certificate. But the respondent, after verification of records, has issued non-availability certificate stating that the date of birth of the petitioner is not found in the concerned register maintained in his office. Hence, the petition.

3. After registration of the petition, notice was issued to the respondent. However, none appeared despite service of notice on the respondent. Hence, the respondent has been noted absent.

4. Thereafter, the petitioner got examined as PW.1 and produced 5 documents marked as Ex.P-1 to 5.

5. Heard arguments of learned counsel for the petitioner.

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6. The points that would arise for my consideration are as follows:-

1. Whether the petition deserves to be allowed?
2. What order?

7. This Court proceeds to answer the above points as under:

Point No.1: In the Affirmative.

Point No.2 : As per final order
for the following:

REASONS

8. POINT NO. 1: The petitioner, in support of her case, has produced Ex.P-1 non-availability certificate issued by the office of respondent, Ex.P-2 Notarized copy of SSLC marks card, Ex.P-3 Notarized copy of her Aadhar card and Ex.P-4 and Ex.P-5 Notarized copies of her parents' Aadhar cards.

9. On perusal of Ex.P-1 non-availability certificate issued by the respondent it can be seen that the date of birth of the petitioner has not been entered in the concerned register maintained in the respondent's office. In the petition as well as in the chief-examination affidavit of the Pw.1, it is stated that

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the petitioner was born on 02.08.2000. Even Ex.P-2 Notarized copy of SSLC marks card shows that the petitioner was born on 02.08.2000.

10. This Court has no reasons to disbelieve the evidence produced by the petitioner. It is stated that, the birth certificate of the petitioner is required for Government benefits and other purposes. Hence, this Court is of the opinion that, it is just and necessary to direct the respondent to make necessary entry in the concerned register regarding date of birth of the petitioner and to issue the birth certificate after collecting necessary fee and penalty, if any. Hence, the petition deserves to be allowed. Accordingly, point under consideration is answered in the **affirmative**.

11. POINT NO.2: In view of above discussion, this Court proceeds to pass the following:

ORDER

The petition filed by the
petitioners U/s 13(3) of the
Registration of Births and Deaths Act,
1969 is hereby allowed.

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The respondent is hereby directed to enter the date of birth of the petitioner by name **Bushra Begum D/o Abdul Gafoor** as 02.08.2000 born at Gurumitkal, Tq: Gurumitkla, Dist: Yadgiri in the register of birth maintained in his office, after collecting necessary fee and penalty, if any, by the petitioner.

The petitioner is at liberty to get her birth certificate from the respondent, after necessary entry is made in view of the above order.

*(Dictated to the Stenographer, transcribed by him, transcript corrected by me and then pronounced in the Open Court this **24th day of June-2026.**)*

(ARUN CHOUGULE)
PRL.CIVIL JUDGE AND JMFC.,
YADGIRI.

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**: A N N E X U R E :****1. LIST OF WITNESSES EXAMINED FOR THE PETITIONER:**

PW.1 : Bushra Begum D/o Abdul Gafoor.

2. LIST OF EXHIBITS MARKED FOR THE PETITIONER:-

Ex.P-1 : Non-availability Certificate

Ex.P-2 : Notarized copy of SSLC marks card.

Ex.P-3 : Notarized copy of petitioner's Aadhar card.

Ex.P-4 & 5 : Notarized copies of petitioner's parents Aadhar cards.

3. LIST OF WITNESSES EXAMINED FOR THE RESPONDENT:-

- Nil -

4. LIST OF EXHIBITS MARKED FOR THE RESPONDENT:-

- Nil -

(ARUN CHOUGULE)
PRL.CIVIL JUDGE AND JMFC.,
YADGIRI.