

MHBI160018842022



ORDER BELOW EXH. 1 IN
CRIMINAL MISC.APPLICATION NO. 192/2022
Yash Vs. Grampanchayat

Applicant namely Yash S/o. Ajinath Dahifale has moved this application for directing Secretary, Grampanchayat Bramhanath Yelamb, Tal. Shirur Kasar, Dist. Beed to register his date of birth as on 11-05-2004.

2. Perused the application & documents filed in support of the application. Heard learned Advocate Smt. J.C. Tavate for the applicant.

3. It is the case of applicant that he is born on 11-05-2004 at his residential house at Bramhanath Yelamb, Tal. Shirur Kasar, Dist.Beed. He and his family was unaware about the procedure of registration of date of birth. He has not made entry regarding the same in Grampanchayat record. The applicant further submitted that when he approached to Grampanchayat Bramhanath Yelamb for obtaining his birth certificate, the Grampanchayat had issued non availability certificate with direction to approach the Court. Hence, applicant has filed this application.

4. The non-applicant served with the notice. But he failed to appear before the Court, hence, application proceeded exparte against him.

5. In support of the application, the applicant has examined himself by way of affidavit of examination in chief (Exh.9). He almost reiterated contents of application as it is. The applicant has filed on record non availability certificate issued by Grampanchayat Bramhanath Yelamb of his birth (Exh.3/1). Applicant has also filed on record the copy of the proclamation notice issued in daily newspaper "Dainik Citizan" dated 13/10/2022 (Exh.8) as ordered by this Court. Non applicant has not challenged evidence of the

applicant. Evidence of the applicant has remained unchallenged piece of evidence. Nothing is on record to disbelieve his evidence. In spite, the proclamation in the newspaper calling objection about the same, no one has filed objection till today.

6. Evidence on record prima-facie reveals that applicant born as on 11-05-2004. Therefore, the application deserves to be allowed. Hence, I pass following order.

: ORDER :

- 1] The application is allowed.
- 2] The Secretary / Gramsevak, Grampanchayat Bramhanath Yelamb, Tal. Shirur Kasar, Dist. Beed is directed to register the date of birth of applicant namely Yash S/o. Ajinath Dahifale as on 11-05-2004 on payment of prescribed fee as per rule.

(Dictated and pronounced in open Court).

Dated: - 16/12/2022

(A.T. Mangire)
JUDICIALMAGISTRATE (F.C.)
SHIRUR KASAR.

"I affirm that the contents of this PDF file are word to word as per original Judgment/order".

Sd/-
[P.B. Kusumkar]
Stenographer Grade-3

Dictated on	:	16/12/2022
Transcribed on	:	16/12/2022
Checked & signed on	:	16/12/2022