



Order below Exh.1 in Criminal Misc. Application No.62/2022

Uttam Dattatray Jadhav

... Applicant

V/s.

Cheif Executive Officer, Nagarpanchayat, Kadegaon
Tal.Kadegaon. Dist.Sangli

...Opponent

1] This is an application for direction to the concerned Nagarpanchayat for taking the entry into the requisite register of the death of father of applicant Dattatray Gangaram Jadhav who died on 21/08/1974 at Kadegaon, Tal-Kadegaon, Dist-Sangli.

2] Perused the application and accompanied affidavit, and following points arises for determination, to which, findings are recorded with reasons given below.

	<u>POINTS</u>		<u>FINDINGS</u>
1]	Whether the application for registration of death of applicant's father in the Nagarpanchayat record and consequent directions for issuance of death certificate deserves to be allowed ?	..	Yes.
2]	What Order ?	..	The application is allowed.

REASONS

3] In support of the application the applicant has filed his affidavit at Exh.14 wherein he stated that the date of death of his father is 21/08/1974 and its entry was not taken in the concerned birth and death register of Nagarpanchayat Kadegaon. Paper notice which is at Exh.12 is also published in daily news paper " Janprawas " but no one has taken any objection to the notice.

The applicant has filed on record certificate given by Nagarpanchayat Kadegaon. In certificate it is mentioned that entry of death of Dattatray Gangaram Jadhav is not found in office record. The applicant is in requirement of death certificate of Dattatray Gangaram Jadhav. Therefore, he had sought direction to the concerned authority for taking entry of death of Dattatray Gangaram Jadhav in the register maintained by them for birth and death and issue certificate accordingly.

4] The notice was issued to the opponent and he filed his say at exh.13 stated that entry of death of Dattatray Gangaram Jadhav is not found in office record.

5] The Registration of Birth and Death Act, 1969 and Maharashtra Registration of Birth and Section 13(3) which provides as under :-

Any birth or death which has not been registered within one year of its occurrence, shall be registered only on an order made by a Magistrate or the first class or a Presidency magistrate after verifying the correctness of the birth or death and on payment of the prescribed fee.

6] In view of said provision, the application deserves to be allowed. Hence, I proceed to pass following order.

ORDER

- 1) The Application is allowed.
- 2) Concerned Office of Nagarpanchayat village Kadegaon, Tal-Kadegaon, Dist-Sangli is directed to take the necessary entry of death of Dattatray Gangaram Jadhav, on requisite fee as per the Maharashtra Registration of Birth and Death Rules, 1976.

Date : 20/06/2022

(P.R.Sabnis)
Judicial Magistrate F.C.,Kadegaon