



**IN THE COURT OF THE JMFC II, BELAGAVI
AT: BELAGAVI**

***Presided Over by Guruprasad C.,
B.A.L. LLB.,***

J.M.F.C-II, Belagavi

CRL.MISC.NO.784/2026

DATED:21.07.2026

Petitioner :

Saliya D/o Nisar Gadag,
after marriage,
Saliya W/o Zuber Sayyad,
Age : 34 Years, Occ : House hold work,
R/o: H.No.550, Rughunath Peth,
Angol, Belagavi

(By Shri. B.B. Shettnavar, Advocate)

V/s

1. The Commissioner
City Corporation, Belagavi.

(By Shri.R.N.Shastri, Advocate)

**ORDERS ON PETITION FILED U/S 13 (3) OF
REGISTRATION OF BIRTHS AND DEATHS ACT, 1969**

This petition is filed U/s 13 (3) of the Karnataka Births and Deaths Registration Act 1969 to cause entry of the date of birth of the petitioner in the relevant records of the respondent.



2. Brief facts of the petition of the petitioner are as under:

*It is averred in the petition that the petitioner by name **Saliya D/o Nisar Gadag is born on 15.02.1992 at home Kasai Galli, Belagavi.** The petitioner was under the impression that date of birth was registered before the concerned authority. However, it was found that date of birth was not registered.*

It is further averred that the petitioner has approached the respondent for registration of the date of birth. However, respondent issued non availability certificate and directed to approach the court. Therefore, the petitioner was constrained to file this petition for the aforesaid mentioned reliefs.

3. *The respondent has appeared through its counsel and filed objections to the petition. In the objections, the respondent suspects genuity of the documents produced by the petitioner and the contended that the petitioner has to prove the same by producing documentary evidence. It is averred that the the petition is devoid of merits and same is*



liable to be dismissed. Accordingly, respondent prayed to dismiss the petition.

4. In order to prove the case, the petitioner examined as PW.1 and got marked 5 documents as Ex.P-1 to 5. When the case was posted for orders, the respondent had filed application seeking recall of PW.1 for cross-examination. Since the case was posted for orders, PW.1 was not recalled. However, objections were taken on record.

5. Heard the arguments. Perused the records.

6. The points that would arise for my consideration are;

1) ***“Whether the prayer made in the petition can be granted?”***

2) **What Order?**

7. The findings to the above Points are asunder:

POINT No.1 : In the Negative

POINT No.2 : As per the final order for the following;

REASONS

8. **Point No.1:-** In order to prove the case, the petitioner examined as PW.1 and reiterated the contents of



the petition in the affidavit. The petitioner got marked 5 documents. Ex.P1 is Non availability Certificate, Ex.P2 is Adhar Card, Ex.P.3 is the Pan card, Ex.P.4 is the Voter ID Card and Ex.P.5 is the Ration card.

9. Adhar Card, Voter ID, Pan Card or Ration Card are not the authenticated documents to prove the date of birth and place of birth. School leaving certificate, Marks Card issued by the competent authority are the authenticated documents for proof of date of birth and place of birth. In some circumstances, passport can also be looked into as a document of date of birth and place of birth.

10. An argument is advanced by the petitioner that strict proof of date of birth was remotely considered while disposing of the matter in Lok adalath. The same has to be continued in this case.

11. The scenario of Lok adalath is entirely different from considering a case on merits. In the Lok adalath, the both petitioner and respondent would have filed joint memo. Respondent would have agreed to enter the date of birth of



the petitioner voluntarily. The respondent has not volunteered to enter the date of birth of the petitioner in the register in this case.

12. As aforesaid, Ex.P2 is Adhar Card, Ex.P.3 is the Pan card, Ex.P.4 is the Voter ID card and Ex.P.5 is the Ration Card. The petitioner has not produced any authenticated documents to prove the date of birth and place of birth. Therefore, the petitioner has failed to prove that the petitioner was born on 15.02.1992 at home Kasai Galli, Belagavi. As a result, the petition fails. **Accordingly, point No.1 is answered in the Negative.**

13. **Point No.2:-** In view of the answer to point No.1, I proceed to pass the following:

ORDER

The petition filed by the petitioner under Section 13(3) of Registration of Births and Deaths Act, is hereby dismissed.

(Dictated to the Stenographer directly on computer, corrected and then pronounced by me in the open court on this the 21.07.2026)

**(Guruprasad C.)
JMFC-II, Belagavi.**



ANNEXURE

Witnesses examined on behalf of Petitioners:

PW.1 : Saliya D/o Nisar Gadag

Documents marked on behalf of Petitioners:

Ex.P.1 : Non availability Certificate
Ex.P.2 : Aadhar Card
Ex.P.3 : Pan Card,
Ex.P.4 : Voter ID Card
Ex.P.5 : Ration card.

Witness examined on behalf of Respondent:-

-Nil-

Documents marked on behalf of Respondent:-

-Nil-

JMFC-II, Belagavi.