

MHPU080001002023



Cri.M.A./38/2023
Ganesh Namdev Rakhpasare Vs. Pune PMC

ORDER BELOW EXH.1

This is an application under section 13(3) of the Registration of Birth and Death Act, 1969 for giving direction to Registrar, Birth and Death, Pune Municipal Corporation, Pune to take entry regarding Birth of applicant's daughter namely Shreya Ganesh Rakhpasare who born on 11-08-2019.

2. Applicant stated that their daughter was born on 11-08-2019 at Care and Trust (CT) Nursing Home, Dhanori road, Vishrantwadi Pune. However, due to lack of knowledge applicant did not intimate this fact to Corporation Authority and there is no entry regarding same in the record of said authority. Applicant is in need of Birth Certificate for official purpose. Hence, applicant filed present application.

3. Following points arise for my determination and my findings thereon are as under :

<u>Sr. No.</u>	<u>POINTS</u>	<u>FINDINGS</u>
1	Whether applicant have made out case for issuance of directions to concern authority to take their daughter's birth entry ?	Yes.
2	What order ?	Application is allowed.

REASONS

AS TO POINTS NO. 1 AND 2 :

4. The applicant filed original letter dated 27-02-2023 issued by Pune Municipal Corporation in regard non availability of her birth entry in their record. Applicant have filed verified copies of their Adhar Card, discharge card of Care and Trust (TC) Nursing Home, Vishrantwadi, and their affidavit of evidence at Exh.10 and 11. Citation public notice was issued in daily News paper ' Punynagari ' as per Exh. 08. However, no objection received against applicant's claim.

5. The documents show that applicant's daughter was born on 11-08-2019 at Care and Trust (CT) Nursing Home, Dhanori road, Vishrantwadi Pune.. However, applicant did not intimate this fact to the Concerned Authority, therefore, there is no entry regarding same in the record of said authority. There is no reason to disbelieve this evidence. Despite of public notice in daily news paper no body appeared and challenged the application within a stipulated period. Thus, applicant have made out case for issuance of directions to the Registrar, Pune Municipal Corporation, Pune. for taking birth entry of applicant's daughter. Hence, I answered point No.1 in the affirmative and in answer to point No.2, I pass the following order.

ORDER

- 1] Application is allowed.
- 2] Registrar, Birth and Death, Pune Municipal Corporation, Tal Haveli, Dist. Pune is consented to effect Birth entry of Shreya Ganesh Rakhapasare showing her date of birth as 11-08-2019. in the Birth Register after receiving late fee, if any and by complying with all other formalities.

Date:-29-04-2023

(G.R.Tiwari)
Judicial Magistrate, F.C.
Khadki, Pune

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are same word to word, as per the original Order.

Name of the Stenographer	: <i>D.N. Konde</i>
Court	: J.M.F.C. Khadki, Pune
Date	: 29-04-2023
Order signed by the Presiding officer on	: 29-04-2023
Order uploaded on	: 29-04-2023