

IN THE COURT OF MUNSIFF RAMBAN

File No : 20/Suit D.O.I.: 11.04.2022 D.O.Order: 27.06.2025

CNR NO: JKRB020007932022

Mushtaq Ahmed Runyal S/o Shamas Ud Din Runyal R/o Sundhgali Tehsil & District Ramban

.....**Plaintiff**

VERSUS

1. U.T. of J&K, Through SHO P/S Ramban
2. BDO Ramban (**impleaded vide order dated 11-01-2023**)

.....**Defendants**

In the matter of: - Suit for declaration declaring the name of the plaintiff's son namely as "**RAMIEZ AHMED**" who were born on 18-04-2012 respectively at Home, which has been wrongly recorded in the records of Birth Register maintained by the defendants as 13-07-2014.

CORAM : TARUN MAHAJAN
JO Code : JK 00254

JUDGMENT

1. That the plaintiff is a law abiding and peace loving citizen belonging to village Sundgali Tehsil Ramsoo District Ramban. That inadvertently the date of birth of the plaintiff's son wrongly recorded as 13-07-2014 in the register of birth and death maintained by them. That the actual particulars of the plaintiff's son date of Birth given as following as Under:-

Name: Ramiez Ahmed.

Father Name: Mushtaq Ahmed Runyal

Mother Name: Fathma Begum

D.O.B : 18-04-2012.

2. That the said error in recording of the plaintiff's son came to the knowledge on Dated 25-03-2022 when the plaintiff approached before the concerned police station (defendant) for issuance of Date of Birth certificate of the Plaintiff's son. Hence the suit.
3. After filing of suit, summons was issued to defendant SHO Ramban but despite service nobody appeared. It is important to mention that after the transfer of powers with respect to registration of births and deaths, BDO Ramban was arrayed as defendant no. 2 and was summoned that despite service BDO Ramban fails to appear and also fails to file any written statement and vide order dated 5-04-2024 was set ex-parte and plaintiff was direct to lead ex-parte evidence and plaintiff by way of affidavit

furnished evidence of himself and one Mohd. Yousuf.

4. Before proceeding further let's frame the issue of determination. The only issue of determination in the present case is whether the correct date of birth of the plaintiff's son namely Ramiez Ahmed is 18-04-2012 and not 13-07-2014.
5. Plaintiff filed evidence affidavit and plaintiff has also produced one witness Mohd Asaf Ganai. In the evidence by way of affidavit, plaintiff as well as witness has supported the case of plaintiff. Besides this plaintiff has attached copy of school leaving certificate dated 10-01-2022 issued in favor of Ramiez Ahmed son of plaintiff and in the said certificate the date of birth of Ramiez Ahmed is mentioned as 18-04-2012 and the said school certificate being issued by Govt. Primary School, Sund District Ramban is a public record having evidentiary value.
6. From the statement of plaintiff, his witness- Mohd Asaf Ganai as well as documentary evidence i.e. school leaving certificate issued by the school it is clearly established that date of birth is incorrectly recorded in the birth certificate issued by the Registrar Birth and Death i.e. SHO Ramban and said evidence of plaintiff remain un rebutted as defendant SHO Ramban as well as later on arrayed defendant BDO Ramban despite service choose not to contest the case.
7. Keeping in view the aforementioned discussion, suit of plaintiff is decreed in his favor and against the defendants and it is declared that name of the plaintiff's son namely "**RAMIEZ AHMED**" was born on 18-04-2012 respectively at Home, and his date of birth is wrongly recorded in the records of Birth Register maintained by the defendant -SHO Ramban and decree of mandatory injunction is also passed in favor of plaintiff directing the defendant no. 2- BDO Ramban to correct the birth particulars of the plaintiff's son in the record maintained by him under rules. No order passed as to costs. Office is directed to prepare decree sheet accordingly. Decree shall be binding upon the parties to the suit only. The suit is accordingly disposed off. File after its due compilation be consigned to records.

**Announced:
27.06.2024**

**Tarun Mahajan
Munsiff, Ramban.**

DECREE SHEET

File no.	Date of Instt.	Name of Plaintiff/ plaintiffs	Name of the defendant/ defendants	Nature of the suit	Date of Decision
Case No:51 OF 2022 CNR No: JKRB020007932022	11-04-2022	1. Mushtaq Ahmed Runyal S/o Shamas Ud Din Runyal R/o Sundhgali Tehsil & District Ramban	1.UT of J&K thorough BDO Ramban 2.Public	Suit for declaration, declaring the date of birth of the plaintiff's son namely Ramiez Ahmed who were born on 18-04-2012 respectively at Home, Which has been wrongly recorded in the records of Birth Register maintained by the defendants as 13-07-2014	27-06-2025

ORDER

Keeping in view the aforementioned discussions, the suit of the plaintiff is decreed in his favor and against the defendants and it is declared that name of the plaintiff's son namely "**RAMIEZ AHMED**" was born on 18-04-2012 respectively at Home, and his date of birth is wrongly recorded in the records of Birth Register maintained by the defendants SHO Ramban and decree of mandatory injunction is also passed in favor of plaintiff directing the defendant no. 2-BDO Ramban to correct the birth particulars of the plaintiff's son in the record maintained by him under rules. The decree is binding between the parties to the suit only subject to the existing provisions of law and shall not affect the right or claim of other person who may not be part to the suit. However, there shall no order as to costs.

PLAINTIFFS	DEFENDANTS

(Tarun Mahajan)
Munsiff, Ramban