

ORDER BELOW EXH.1

Sanjay Pawar Vs. Grampanchayat Aitawade Khurd

1- The applicant namely Sanjay Dattaray Pawar has filed present application for issuing directions to the non-applicant for registration and issuance of death certificate of his grandmother namely **Akkatai Sadashiv Pawar**.

2- It is the case of applicant that his grandmother namely **Akkatai Sadashiv Pawar** died on 13/10/1965 at village Aitawade Khurd Ta. Walwa District Sangli. However, due to lack of knowledge and inadvertent mistake, the entry regarding the death of applicant's grandmother could not be registered in the record of Grampanchayat Office Aitawade Khurd Ta. Walwa. The applicant is in need of death certificate of his grandmother for the purpose of official use. Accordingly, it is prayed that the non-applicant be directed to register the death of applicant's grandmother in the concerned register.

3- Public notice was ordered to be issued by order dated 18/10/2022 in newspaper calling objections from the public in general as regards the directions prayed for. Consequently, public notice was published in daily newspaper "*Dainik Punya Nagari*" dated 21/10/2022. However, no one appeared and raised any objection for the directions prayed for.

4- The non-applicant filed reply at Exh.07 and thereby stated that no entry about registration of date of death of grandmother of applicant was found in the record, hence issued non-availability certificate. As such non-applicant has not raised material objection.

5- In support of his application the applicant **Sanjay Dattaray Pawar** filed his affidavit in lieu of his examination in chief (**Exh.08**) and

affidavit in lieu of his examination in chief of **Malan Shivaji Yadav (Exh.09)**. The applicant has placed reliance upon the certificate issued by Grampanchayat Office Aitawade Khurd Ta. Walwa filed below list **(Exh.03)** regarding non availability the date of death of applicant's grandmother in the concerned register of Grampanchayat Office and public notice.

6- Considering the evidence of applicant **Sanjay** and witness **Malan** and the fact that no one appeared and raised objections in pursuance of the public notice issued in daily newspaper 'Dainik Punya Nagari', the applicant evidently proved that his grandmother namely **Akkatai Sadashiv Pawar** died on 13/10/1965. No prejudice is likely to be caused to any person, if the death of applicant's grandmother is permitted to be registered with the non-applicant. Hence, in view of the same, there is substance to consider the delay and to issue directions to the authority as prayed for. Therefore, it is necessary to direct non-applicant to take the entry of death of applicant's grandmother. Hence, I proceed to pass following order.

ORDER

1. The application is allowed.
2. The secretary, Grampanchayat, Aitawade Khurd is directed to get registered the date 13/10/1965 as the date of death of grandmother of applicant namely **Akkatai Sadashiv Pawar** on payment of prescribed fees.
3. The above order is subject to any order passed or issued by competent Civil Court.

Date :- 05/12/2022.

(Pradeepsingh P. Thakur)
Judicial Magistrate First Class,
Court No.4 Islampur.