



O.M.C.A. No.248/2022.
Noor Khan Vs N.P. Darwha.

ORDER BELOW EXH. 1

(Passed on 11.1.2023)

The applicant Noor Kha s/o Usuf Kha has moved present application for direction to issue death certificate of his grandfather namely **Shafi Khan Hasan Khan**.

2. Perused the application, say of non-applicant and documents. Heard advocate for applicant.

3. Advocate for applicant submitted that applicant's grandfather namely **Shafi Khan Hasan Khan** died on 2.7.1977 at Darwha, Tq. Darwha Dist.Yavatmal. However due to lack of legal knowledge of relatives, they could not register the death of deceased with Nagar Parishad Darwha, Tq. Darwha Dist. Yavatmal, therefore, the non-applicant did not issue death certificate inspite application by applicant. Moreover, the non-applicant Nagar Parishad Darwha, issued certificate in respect of non availability of entry of death. Death certificate is essential for personal use of applicant, therefore, the applicant prayed to issue direction to concern authority about registration of death of his grandfather and issuance of death certificate.

4. In support of the application, the applicant filed evidence on affidavit (Exh. 10) and relied on non available certificate (Exh. 11), Ration card (Exh. 12), copy of Adhar Card of applicant and his father (Exh. 13 and 14), paper publication in daily news paper (Exh. 15) and filed evidence closing *pursis* at

(Exh. 16).

5. From all above documents there is no reason to disbelieve the applicant's version that applicant's grandfather is died on 2.7.1977 at Darwha, Tq. Darwha. *As per Section 13(3) of Registration of Birth and Death Act, if any birth or death which has been not registered within 1 year of its occurrence, the Magistrate has power to order registration of birth or death on verification of correctness of the birth and death.* In case at hand, it is found after due verification that the date of death of applicant's grandfather is 2.7.1977. Hence, I pass following order :

ORDER

1. The Application is allowed.
2. The concerned Officer of Nagar Parishad Darwha Tq.Darwha, Dist.Yavtamal shall register 2.7.1977 as the date of death of **Shafi Khan Hasan Khan.**
3. Concerned Officer of Nagar Parishad Darwha Tq.Darwha, Dist.Yavtamal is hereby directed to issue death certificate to applicant on payment of prescribed fee, if any.

Darwha.
Date : 11.1.2023

(Smt. V. G. Karmore)
4th Jt. JMFC, Darwha.