

MHPA060005232020



ORDER BELOW EXHIBIT NO. 1

Cri. Misc. App. 178/2020

Syed Majeed Vs- M.C. Hingoli

This is an application under section 13 (3) of the Registration of Births and Deaths Act, 1969 for directing the non-applicant i.e. the Registrar, Birth and Death Registration Department, Municipal Corporation, Hingoli, Tq. & Dist. Hingoli for taking the entry in relevant record about birth of the applicant, **Syed Majeed Syed Saber.**

2] The applicant contented that he was born on 04/05/1987, in his house, at Shree Nagar, Risala Bazar, Hingoli, but the entry of his birth was not taken. He asked for his birth certificate from Municipal Corporation, Hingoli, Tq. & Dist. Hingoli but they informed that there is no entry of birth, in the registers maintained by them. The applicant require his birth certificate for official purpose, therefore, he prayed for directing Municipal Corporation, Hingoli, Tq. & Dist. Hingoli to take entry of his birth in the records maintained by them.

3] The Court vide its order dated 03/03/2020 issued notice and paper publication calling the objection, if any. The non-applicant failed to file their say.

4] Perused the record. Heard the Ld. Advocate Shri. Arif

Khan, for the applicant.

5] The applicant adduced his evidence on affidavit in lieu of examination-in-chief at below exhibit 09 stating that he was born on 04/05/1987 and the entry of his birth is not maintained by the Registrar, Birth and Death Registration Department, Municipal Corporation, Hingoli, Tq. & Dist. Hingoli. In order to support his contentions, the applicant relied on Non-availability of birth/death registration certificate issued by Municipal Corporation, Hingoli, Tq. & Dist. Hingoli (**exhibit 10**), verified copy of his identity cards (**exhibit 11**) and secondary school certificate (**exhibit 12**).

6] On perusal of oral and documentary evidence, it is apparent that the entry regarding applicant's birth has not been taken in the register of birth and death maintained by the Registrar, Birth and Death Registration Department, Municipal Corporation, Hingoli, Tq. & Dist. Hingoli and he was born on 04/05/1987.

7] The public notice was published in the daily newspaper 'Deshonatti' on 08/03/2020 (**exhibit 13**), calling objection on the contention of the applicant. However, nobody appeared to raise the objection. Therefore, I do not find any reason to refuse the request of applicant for directing the Registrar, Birth and Death Registration Department, Municipal Corporation, Hingoli to take entry in respect of birth of Syed Majeed Syed Saber, in the concerned register. Hence, the following order is passed:-

ORDER

1. The application is allowed.
2. Registrar, Birth and Death Registration Department, Municipal Corporation, Hingoli, Tq. & Dist. Hingoli is directed to take entry in respect of birth of **Syed Majeed Syed Saber** date **04/05/1987** in the register of birth and death, on the payment of prescribed fee.
3. The application is disposed off accordingly.

Date :- 14/12/2022

(Priyanka R. Pamnani)
Judicial Magistrate First Class,
Court No. 04, Hingoli.