

MHPA060005852020



ORDER BELOW EXHIBIT NO. 01
(Order Passed on : 29/03/2023)

Cri. M. A. No. 211/2020
Shaikh Farhin 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 Council, Hingoli, Dist. Hingoli for taking the entry in relevant record about birth of the applicant, namely, Shaikh Farhin Begum Shaikh Mohammad Khalid.

2] The applicant contented that she was born on 01/09/1991, at Hingoli, but the entry of her birth was not taken. She asked for her birth certificate from Municipal Council, Hingoli, but they informed that there is no entry of birth, in the registers maintained by them. The applicant require her birth certificate for official purpose, therefore, she prayed for directing Municipal Council, Hingoli, Dist. Hingoli to take entry of her birth in the records maintained by them.

3] The Court vide its order dated 11/03/2020 issued notice and paper publication calling the objection, if any. The non-applicant failed to file their say.

4] Perused the record. The public notice in a daily local newspaper, calling objection, was issued. The applicant has not filed

paper publication, also till today no one has raised objection, but thereafter, the applicant failed to adduced any evidence.

5] On perusal of the roznama, it appears that since 24/09/2021, the applicant and learned Advocate, did not appear in the proceedings and also no steps are taken by them in order to proceed with the matter. The case is pending for the evidence of the applicant, but the applicant has not adduced oral or documentary evidence, entitling her for directing the non-applicant to take the entry of her birth date in their record.

6] Therefore, in view of the above discussion, in the absence of the applicant and the evidence, it is not justifiable to direct the non-applicant to take the entry of date of birth of the applicant in their record. Hence, the following order is passed:-

ORDER

- 1) The application is rejected.
- 2) Present application is accordingly disposed off.

Date : 29/03/2023

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