

19.06.2024

Orders

ORDER ON BIRTHS AND DEATHS REGISTRATION ACT

The petitioner has filed this petition U/S.13(3) of Birth and Death Registration Act seeking to direct the respondent for registering her date of birth in the concerned register.

02. It is alleged in the petition that, the date of birth of petitioner has not been entered in the Birth and Death Register of the Respondent, due to lack of knowledge.

03. Respondent appeared through advocate and filed objections formly denying the case of the petitioner.

04. Petitioner examined herself as PW.1 and got marked documents from Ex.P.1 to Ex.P.5. Respondent not let in evidence.

05. Heard arguments, perused the materials on record.

06. Petitioner examined herself as P.W.1 and has produced the documents at Ex.P.1 to Ex.P.5. Ex.P.1 is the endorsement issued by The Commissioner, BBMP, Bangalore. *Ex.P.2 to 5 are the notarized copies of Aadhar Card, Pan Card, Election Identity Card and SSLC Marks Card. Ex.P.2 & Ex.P.3 prepared by public authority and they have got evidentiary value under section 35 of Evidence Act. Further, Ex.P.2 & 3 very much corroborates the substantive evidence of PW.1.* All these documents reveals that date of birth of the petitioner is, **30.05.2000**. Ex.P.1 is the endorsement issued by the respondent which reveals that, the date of birth of petitioner has not entered in the concerned register.

07. In spite of service of notice, respondent remained absent. Hence, the pleadings and evidence placed by the petitioner remained unchallenged. The documents are inconsonance with the pleadings and evidence of the petitioner. There is nothing on record to disbelieve the case of petitioner. The registration of date of birth of the

petitioner is required for further correspondence. Hence, she requires the birth certificate. Hence, the petition is entitled to be allowed. Accordingly, the following;

ORDER

Petition is allowed.

Respondent is directed to cause entry in the concerned register, the date of birth of the petitioner by name **SHAZIYA BANU D/O. CHAND PASHA AND SMT.GOWHAR JAN**, who was born on **30.05.2000**, at **No.90/15-1, 2nd Main Road, Vittal Nagar, BMK Layout, Bengaluru – 560026.**

Issue direction to the respondent to issue **Birth Certificate** accordingly, after collecting necessary late fee from the petitioner.

{Dictated to the stenographer directly on computer, corrected and then signed by me and then pronounced in the open court on this 19th day of June 2024}.

(BHOLA PANDIT)
XVI ACMM, Bengaluru