

MHAM060028232023



ORDER BELOW EXH.1

(Passed on 12.12.2023)

This is an application filed by the applicant for issuing an order to get her birth certificate.

02. Perused the application and documents. Heard learned Advocate for the applicant.

03. Accordingly, the order of paper publication and issuance of notice to N.A. was passed.

04. N.A. service notice Exh.05. But he has not appeared and not filed say.

05. It is submitted on behalf of applicant that she is permanent resident 29, Vishnu Nagar, Amravati, Dist. Amravati. She was born on **12.03.1993** at Paratwada, Tq. Achalpur, Dist. Amravati. Due to lack of knowledge, her family members could not register her date of birth at Nagar Parishad, Achalpur Tq. Achalpur, Dist. Amravati. Applicant now wants to register her date of birth for making her educational and official purpose. Applicant approached to the Non-applicant for certificate by filing letter dtd. 24/07/2023. However, they informed her that her name is not registered at Nagar Parishad, Achalpur Tq. Achalpur, Dist. Amravati. Hence, this application.

06. Paper proclamation in "Dainik **Vrutta Kesari**" was issued vide Exh.13 calling objection if any, however no one appeared and

challenged the evidence adduced by the applicant.

07. In support of application, applicant has filed her affidavit vide Exh.08. She also filed original copy of Non-Availability of birth certificate vide Exh.09, verified copy of Adhar Card vide Exh.10, verified copy of marriage certificate vide Exh.11 and verified copy of School leaving Certificate vide Exh.12. It reveals that in the said leaving certificate the date of birth of applicant is mentioned as 12.03.1993. Therefore, the said evidence requires to be accepted. From perusal of the oral as well as documentary evidence filed on record, it appears that, applicant was born on the date mentioned above. Her date of birth is not registered with Nagar Parishad, Achalpur Tq. Achalpur, Dist. Amravati.

08. As per Section 13 (3) of the Registration of Birth and Death Act, if any birth or death which has not been registered within one year of its occurrence, the Magistrate has power to pass the order of its registration after due verification of correctness of birth and death. In present case, as per the pleading, documents filed on record and the affidavit in lieu of the evidence of witness/applicant, the date of birth of applicant as **12.03.1993**, is found to be correct. Hence, pass the following order.

ORDER

1. Application is allowed.

2. The Registrar of Birth and Death Registration Department of Nagar Parishad, Achalpur Tq. Achalpur, Dist. Amravati shall register the date of birth of applicant **Pooja Ashok Khodaskar** as **12.03.1993** on payment of the prescribed fees.

Achalpur.

Date: 12/12/2022.

(Rajendra D. Chougale)
Judicial Magistrate First Class,
Court No.3, Achalpur.