

Order below Exh.-1

(Passed on this 26th day of March, 2018)

- 1) By the instant application, applicant Raghunath Laxman Chaudhari, R/o. Palasgaon Jat, Tah. Sindewahi, Distt. Chandrapur prayed for direction to the non-applicant to take entry of death date of his son in Birth and Death Register as per section 13 (3) of the Registration of Births and Deaths Act, 1969.
- 2) In spite of service of notice vide (Exh.6) non-applicant neither appeared before this Court, nor filed reply, therefore, case was proceeded exparte against non-applicant vide order below Exh.1 dt. 03-02-2018.
- 3) In support of case, the applicant has filed his affidavit on record at Exh.12. He has also filed non-availability certificate of death date of his son issued by Gram Panchayat, Chikhalgaon and B.D.O. Panchayat Samiti, Nagbhid respectively at Exh. 13 & 14, verified copy of Aadhar Card, Ration Card of applicant respectively at Exh.16 & 17 and paper publication published in weekly newspaper "Nivada" dtd.14-02-2018, Exh.15. Said evidence adduced by applicant remained unchallenged. It shows that death date of son of applicant deceased Ashish is 17-09-2016 and that, there is no entry of death date of his son in the record of office of non-applicant. Hence, the death date of son of applicant is required to be registered in the Register of Birth and Death, on payment of prescribed fee. Thus, the applicant is entitled to get the registration of death date of his son in the Register of Birth and Death, as per the provisions of section 13 (3) of the Registration of Births and Deaths Act, 1969 on payment of late fee of Rs. 10/- (Ten) by the applicant as per section 9(3) of Maharashtra Birth & Death Registration Rule, 2000. In the result, I proceed to pass following order.

O r d e r

- 1) The application is allowed.
- 2) Non-applicant i.e. Secretary Gram Panchayat, Chikhalgaon, Tah. Nagbhid, Distt. Chandrapur is hereby directed to get register the death date of son of applicant deceased Ashish Raghunath Chaudhari in the Register of Birth & Death by taking entry of death date 17-09-2016 after depositing late fee of Rs. 10/- (Ten) by the applicant as per section 9(3) of Maharashtra Birth & Death Registration Rule, 2000.

Dtd. 26-03-2018

(K.S. Khandare)
Judicial Magistrate, First Class,
Nagbhid.