

Order Below Exh. 01 in
Criminal Misc. Appln. No. 01/2018.

1. The present application is filed under Sec. 13(3) of Birth and Death Registration Act, 1969 (hereinafter referred as 'Act').

2. It is the case of the applicant Shri. Krishna Govind Nachare that he was born on 04-04-1964 at village Chindrawale, Tal. Guhagar. But the registration of his birth in Birth and Death Register of Grampanchayat Chindrawale, Tal. Guhagar had been failed. Therefore, he prayed that Registrar, Birth and Death Registration, Grampanchayat Chindrawale, Tal. Guhagar be directed to get registered date of birth of applicant in Birth and Death Register.

3. On the said application inquiry was held to ascertain correctness of the date of birth. As per Section 21 of the Act, Registrar, Birth and Death Registration, Grampanchayat Chindrawale, Tal. Guhagar was empowered to conduct said inquiry. Accordingly, applicant filed certificate of Tahasildar at Exh. 4/1, xerox copy of his Aadhar card at Exh. 4/2, certificate of Police Patil at Exh. 4/3, certificate of Sarpanch at Exh. 4/4 and xerox copy of his pan card at Exh. 4/5. Moreover, citation notice was also published in Daily 'Prahar' dated 10-01-2018.

4. Perused application and statement of witnesses. It reveals from the material produced and available on record that Shri. Krishna Govind Nachare was born on 04-04-1964 at Chindrawale, Tal. Guhagar. In response to publication of citation notice nobody appeared to resist the fact of birth of Shri. Krishna Govind Nachare occurred on 04-04-1964. The said fact is confirmed by the witnesses. In the circumstances, there is no

evidence before the court to disbelieve the factum of birth of Shri. Krishna Govind Nachare occurred on 04-04-1964.

5. Therefore, on available material before the court and considering the fact that nobody appeared before the court to resist the claim of applicant, the date of birth is hereby required to be registered in the record of Grampanchayat Chindrawale, Tal. Guhagar.

6. Applicant himself is admitted that, it has been failed without reasonable cause to give any information which was his guardian's duty to give under the provision of Section 8 of the Act. No reasonable cause for failure of a registration is explained by the applicant. Therefore, he is liable to be penalize under Section 23(1)(a) of the Act. Hence, I proceed to pass the following order -

ORDER

1. Application is allowed.
2. The respondent is directed to make entry regarding date of birth dated 04-04-1964 of Shri. Krishna Govind Nachare in Birth and Death Register of Grampanchayat Chindrawale, Tal. Guhagar.
3. Rs. 50/- as a fine be paid by the applicant in the court.

Place :- Guhagar.
Date: 26-02-2018.

(P. A. Apte)
Judicial Magistrate F.C., Guhagar.

C E R T I F I C A T E

Case No. Cri. M. A. No. 01/2018.

“I affirm that the contents of this PDF file judgment / order are same, word for word as per original judgment.”

Name of Stenographer :- Mr. P. D. Bhirde.

Court Name :- Smt. P. A. Apte,
Civil Judge J. D., Guhagar,
Dist. Ratnagiri.

Date :- 26-02-2018.

Judgment/Order signed by :- 26-02-2018.
President Officer on

Judgment/Order uploaded on :- 26-02-2018.