

Gujarat High Court

Kishorchandra vs District on 24 September, 2010

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Gujarat High Court Case Information System

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SCA/11081/2010 2/ 2 ORDER

IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL
CIVIL APPLICATION No. 11081 of 2010

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KISHORCHANDRA
HARGOVANBHAI PATEL - Petitioner(s)

Versus

DISTRICT
REGISTRAR (BIRTH-DEATH) & 2 - Respondent(s)

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Appearance
:
MR
MANAN A SHAH for
Petitioner(s) : 1,

MR
AMIT PATEL AGP FOR Respondent No.1
None for Respondent(s) : 2 -
3.

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CORAM

:

HONOURABLE

MR.JUSTICE H.K.RATHOD

Date
: 24/09/2010

ORAL
ORDER

1. Heard learned advocate Mr.Manan A. Shah for petitioner and learned AGP Mr.Amit Patel for respondent No.1.
2. The grievance of present petitioner is that in birth certificate which has been obtained from Mamlatdar, Choryasi and Talati-cum-Mantri of Mohini Gram Panchayat, Taluka Choryasi, District Surat where name of father of petitioner is wrongly recorded. The real name of father is 'Hargovanbhai' but, it has been wrongly recorded as 'Harkishandas' which required to be corrected. For that, petitioner has approached to Civil Court by application No.37 of 1993 on 9.12.1993 where Civil Court, Surat has directed to Mamlatdar, Choryasi to issue birth certificate of petitioner on the basis of details mentioned in school leaving certificate, which came to be allowed.
3. Learned advocate Mr.Shah submitted that in that order also, by mistake, name of father of petitioner is remained as Harkishandas and not corrected as Hargovanbhai .
4. In light of this background, let petitioner may again approach to Civil Court by filing separate fresh application giving correct details in respect to name of father of petitioner, within a period of one month from date of receiving copy of present order.
5. As and when concerned Civil Court / Magistrate Court, Surat receives such application from petitioner, it is directed to concerned Civil Court / Magistrate Court, Surat to consider application made by petitioner and also investigate and inquire the original documents which will be produced by petitioner and thereafter, to pass appropriate reasoned order after considering the original

record, within a period of two months from date of receiving copy of such application from petitioner and communicate the decision to petitioner.

6. In view of aforesaid observations and directions, present petition is disposed of without expressing any opinion on merits. Direct service is permitted.

(H.K.RATHOD,J.) (vipul) Top