

IN THE HIGH COURT OF BOMBAY AT GOA**CRIMINAL WRIT PETITION NO. 213 OF 2019**

JAYASHRI ATMARAM TANDEL

... Petitioner

Versus

STATE OF GOA, THR. PUBLIC
PROSECUTOR AND 2 ORS.

... Respondents

Shri Amey Jagdish Sinai Kakodkar, Advocate for the Petitioner.
Shri Pravin Faldessai, Additional Public Prosecutor for the
Respondents.

Coram:- PRITHVIRAJ K. CHAVAN, J.**Date:- 7th October, 2019****ORAL ORDER :**

Heard Shri Amey Kakodkar, the learned Counsel for the petitioner. Shri Pravin Faldessai, the learned Additional Public Prosecutor waives service on behalf of the respondents.

2. Orders dated 05/05/2018 and 30/04/2019 are impugned in this petition by which both the Courts below turned down the request of the petitioner to issue Birth Certificate of the petitioner only on the basis of affidavits of one Tulshidas Tandel and Michael Fernandes as well as the identity card of the petitioner issued by the Election Commission of India depicting her Date of Birth as 29/04/1945.

3. After hearing the learned Counsel for the petitioner and respondents and after going through the impugned order as well as the affidavits, the petition can be disposed of by issuing directions to the learned JMFC to reconsider the application of the petitioner afresh on the basis of the identity card issued by the Election Commission of India vis-a-vis the affidavits, since it is submitted that the petitioner is unable to procure any other documentary evidence owing to a very poor and illiterate background.

4. Needless to state that the learned JMFC shall decide the application as expeditiously as possible within a period of six weeks from the date of receipt of the order.

5. The petition stands disposed of in the above terms. Liberty to the petitioner to file additional affidavit, if so advised.

PRITHVIRAJ K. CHAVAN, J.

NH