

CIVIL APPELLATE JURISDICTION
FAMILY COURT APPEAL NO.8 OF 2019

**CORAM : A.A. SAYED &
S.G.DIGE, JJ.**

DATED : 27 AUGUST 2021

A praecipe has been moved by the learned Counsel for the Appellant-wife. The learned Counsel states that the original Birth Certificate of the Appellant's son Kum. Sujan (who is about 16 years of age) which had been produced in the Trial Court and Record & Proceedings of which are now before this Court, is required for the purposes of his college admission. She states that the college requires Kum.Sujan to produce the original Birth Certificate to verify the same with the photo-copy. She further states that the original Birth Certificate of Kum.Sujan shall be returned to this Court within six weeks from the receipt of the original Birth Certificate.

2. We find that the request of the Appellant-wife is reasonable. In the interest of the education of the minor son Kum.Sujan (16 years old), we

permit the Appellant-wife to take the original Birth Certificate upon the Appellant-wife filing an Undertaking in the form of an Affidavit to this Court that the original Birth Certificate shall be returned within a period of six weeks from the receipt of the original Birth Certificate. If such Undertaking is filed by the Appellant-wife, the Registrar (Judicial-I) shall handover the original Birth Certificate of Kum.Sujan to the Appellant-wife.

3. We make it clear, in the event the original Birth Certificate is not returned to this Court within six weeks of the receipt of the original Birth Certificate, the Family Court Appeal shall stand dismissed without further reference to the Court.

(S.G.DIGE,J.)

(A.A.SAYED, J.)