



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

919 WRIT PETITION NO. 1717 OF 2025

SHRADHA AJIT PATIL ALIAS SHRADHA SAGAR MADGI

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

....

Mr. Gaurav L. Deshpande, Advocate for the Petitioner

Mr. R. K. Ingole, AGP for Respondent No.1 – State

Mr. S. P. Urgunde, Advocate for Respondent Nos. 2 and 3

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**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 22.07.2025

PER COURT :-

1. This Petition is filed for the reason that the minor girl child of the Petitioner is facing difficulty in obtaining VISA from the Embassy of the United States of America, for the reason that in her birth certificate, the maiden name of the Petitioner is not specifically stated.

2. The maiden name of the Petitioner is, 'Shradha Ajit Patil' and after her marriage, her name is, 'Shradha Sagar Madgi'. The documents on record show that the name of the Petitioner on the Aadhar Card and the PAN card, is indeed her maiden name

Shradha Ajit Patil. The marriage registration certificate shows that the Petitioner and her husband got married on 10.11.2017, and thereafter, the Petitioner appears to have started using the name Shradha w/o Sagar Madgi.

3. The girl child was born on 28.10.2021 and as per the information given in the hospital where the girl child was born, the birth certificate at Exhibit-“C” has been issued by the Respondent Municipal Corporation. The said birth certificate records the name of the girl child and also of her mother (present Petitioner) and father. As regards the name of the mother, it is recorded as Shradha Sagar Madgi i.e. the name of the Petitioner after her marriage. Since her maiden name Shradha Ajit Patil is not mentioned in the birth certificate, objections are being raised by the Embassy of the United States of America while considering the application for VISA moved on behalf of the girl child.

4. It is this situation that has impelled the Petitioner to file the present Writ Petition, seeking a direction for insertion of her maiden name in the birth certificate of the girl child.

5. The learned counsel appearing for Respondent No.2 Corporation, submits that as per Section 15 of the Registration of Births and Deaths Act, 1969, and the Maharashtra Registration of Births and Deaths Rules 2000, the Respondent Corporation would not have power to make any such changes, for the reason that effectively the Petitioner is seeking modification of her own name and not as regards the birth entry pertaining to the minor girl child. It is further brought to our notice that the birth certificate is issued in a form specified by the Respondent State Government.

6. We are of the opinion that the situation being faced by the Petitioner herein, is not an isolated case and many other individuals like the Petitioner herein, would be facing such a difficulty. We find that, while the father of the girl child i.e. the husband of the Petitioner, has been regularly travelling to the United States of America on the basis of VISA granted to him, the Application of the girl child is facing the aforesaid difficulty.

7. In that light, we are of the opinion that the learned AGP may take appropriate instructions with regard to the directions proposed to be issued in this petition.

8. It is to be noted that the Aadhaar numbers of both the mother and the father are to be recorded in the birth certificate. In the present case, the Aadhaar numbers are missing in the birth certificate. In this context, a fresh birth certificate incorporating the Aadhaar numbers can be issued by the Respondent Municipal Corporation. If that is done, then in the case of the Petitioner, since her Aadhaar card bears her maiden name, *Shradha Ajit Patil*, the same must be reflected in the column pertaining to mother's name. We are of the opinion that even if her name after marriage, i.e., *Shradha Sagar Madgi*, is to be retained, her maiden name (*Shradha Ajit Patil*) can also be incorporated in brackets within the same column. This could be a possible solution to the issue faced by the Petitioner.

9. In view of the above, the learned AGP to take instructions from Respondent No.1 for incorporating the maiden name of the mother, additionally in the column pertaining to the name of mother in such form of the birth certificate upon mentioning her Aadhar Card number. If such instructions are obtained, it would result in the disposal of the Petition itself, thereby addressing the grievance of the Petitioner as well as other similarly situated individuals.

10. List the present Writ Petition for further consideration on 12.08.2025 in the 'urgent orders' category.

[Y. G. KHOBRADE, J.]

[MANISH PITALE, J.]

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