



2026:DHC:2489



\$~24

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 8521/2023 and CM APPL. 3594/2024, CM APPL. 23927/2024, CM APPL. 37420/2024, CM APPL. 52548/2024

Date of Decision: **16.03.2026****IN THE MATTER OF:**

MS K MINOR THROUGH HER MOTHERPetitioner

Through: Appearance not given.

versus

UNION OF INDIA & ANR.Respondents

Through: Mr. Nishant Gautam CGSC Ms. Kavya Shukla Adv. Mr. Vineet Negi Adv. Mr. Naman Sharma Adv. Ms. Theresa Adv. for R-1.
Ms. Gurmeet Bindra Advocate for R-2.
Mr Tushar Sannu Ms. Pulak Gupta Joshi Mr Ritik, Advs. for MCD.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

J U D G E M E N T**PURUSHAINDRA KUMAR KAURAV, J. (ORAL)**

1. The petition is for directions to the respondents to record the correct



date of birth of the petitioner in her Aadhaar Card.

2. As per the petitioner, her date of birth has been incorrectly recorded in her Aadhaar Card as '11.09.2003' instead of '11.09.2007'. When she sought correction of the same, the concerned officials are stated to have directed the petitioner to produce a birth certificate issued by the Municipal Corporation of Delhi (MCD) or an order of the Court. It is stated that the petitioner's birth was not registered in the records of the MCD and therefore, she does not possess a birth certificate.

3. Learned counsel for the petitioner submits that the petitioner possesses Certificate of Primary Education issued by her school under the East Delhi Municipal Corporation, wherein her correct date of birth is recorded.

4. Learned counsel for respondent no. 2-Unique Identification Authority of India (UIDAI), on 17.01.2025, had submitted that subject to the petitioner's furnishing a legible copy of the birth certificate issued by the MCD and also a declaration that she shall not seek any further amendment in her Aadhaar Card, the requisite correction as sought by her would be made after due verification.

5. *Vide* order dated 09.02.2026, this Court observed that the petitioner did not possess any document evidencing her date of birth other than an affidavit which was furnished at the time of school registration, and therefore, it was thought apposite to implead the MCD as a party.

6. Learned counsel appearing for the MCD submits that after one year from the date of birth, the MCD cannot issue any birth certificate unless the concerned Magistrate certifies the date of birth and passes an appropriate order.



7. The registration of births is governed by the provisions of the Registration of Births and Deaths Act, 1969 ['Act']. Section 13 of the Act, has undergone an important amendment in the year 2023 *vide* the Registration of Births and Deaths (Amendment) Act, 2023, and the provision post-amendment reads as under:

"13. ...

(3) Any birth or death of which delayed information is given to the Registrar after one year of its occurrence, shall be registered only on an order made by a District Magistrate or Sub-Divisional Magistrate or by an Executive Magistrate authorised by the District Magistrate, having jurisdiction over the area where the birth or death has taken place, after verifying the correctness of the birth or death and on payment of such fee as may be prescribed."

8. It is, thus, seen that in view of the amendment, the District Magistrate, Sub-Divisional Magistrate or an Executive Magistrate authorised by the District Magistrate, having jurisdiction over the area where the birth or death has taken place, after verifying the correctness of the birth or death and on payment of such fee as may be prescribed, is authorised to direct the issuance of the certificate.

9. In view thereof, let the petitioner to approach the jurisdictional District Magistrate along with all relevant documents, who shall deal with the petitioner's grievance or authorize any other authority in this regard.

10. If the petitioner approaches the concerned Magistrate, let the requisite permission be granted immediately. If, for any reason, the same is not possible, let him extend an opportunity to the petitioner and, thereafter pass a reasoned order within three months from the receipt of the copy of the application along with a copy of the order passed today.

11. Petition stands disposed of.

12. If the petitioner's grievance is not mitigated, she shall be at liberty to



2026:DHC:2489



take appropriate recourse in accordance with law.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

MARCH 16, 2026/P.

Signature Not Verified
Signed By:AMIT KUMAR
SHARMA
Signing Date:24.03.2026
17:35:28

Signature Not Verified
Signed
By:PURUSHAINDRA
KUMAR KAURAV