

Form No.J(2)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

Present :

The Hon'ble Justice Raja Basu Chowdhury

WPA 15088 of 2026

**Sanjoy Kumar Das
Versus
The State of West Bengal & Ors.**

For the petitioner	:	Mr. Shah Jahan Hossain Ms. Sanjida Sultana Mr. Souvik Shaw
For the State	:	Ms. Jayita Dhar Chakraborty Mr. Bhaskar Bhattacharya
Heard on	:	22.07.2026 & 27.08.2026
Judgment on	:	27.08.2026

Raja Basu Chowdhury, J (Oral):

1. The instant writ petition has been filed, inter alia, praying for a direction upon the respondent nos. 2 and 3 to consider and dispose of the petitioner's application/representation and demand of justice dated 10th June, 2026 for correction of the name of the petitioner's minor son in the birth certificate from "Balendu Das" to "Bibaswan Das".
2. When the matter was initially moved on 22nd July, 2026, this Court noting that the petitioner has not disclosed the birth certificate issued by the nursing home and the biological mother of the male

child has also not come forward, as such, since the Court was unable to ascertain whether the birth certificate as disclosed in page 14 corresponds to the male child who is a student, had granted leave to the petitioner to file a supplementary affidavit. The Officer-in-Charge, Dum Dum Police Station was also directed to cause an enquiry and file a report.

3. By the above order dated 22nd July, 2026, this Court had also directed the learned Registrar General to communicate this order to the Officer-in-Charge of Dum Dum Police Station.
4. Perused the office report counter signed by the learned Registrar General dated 31st July, 2026.
5. Pursuant to the aforesaid, the Officer-in-Charge, Dum Dum Police Station has filed a report and has stated that a discreet enquiry was conducted regarding the genuineness of the prayer made by the petitioner. It has been stated that the petitioner had claimed that his son was born on 22nd August, 2011 at Tulip Nursing Home Pvt. Ltd., 96, Rishi Bankim Chandra Road, Kolkata – 700028 and his son's birth certificate was issued by South Dum Dum Municipality on 7th December, 2011. In such certificate the name of the child was inadvertently recorded as "Balendu Das" instead of his actual name "Bibaswan Das". It has also been stated that the jurisdictional Officer-in-Charge had verified the following documents in original:-

a) Birth Certificate dated 7th December, 2011 issued by South Dum Dum Municipality – Name recorded as “Balendu Das”

b) School Transfer Certificate issued by Kalinagar High School (H.S.) dated 1st March, 2024 Name recorded as “Balendu Das”.

c) PAN Card bearing No. HLRPD7185L in the name of “Bibaswan Das”.

d) Aadhaar Card bearing No. 2214 XXXX 9340 in the name of “Bibaswan Das” S/o Sanjoy Kumar Das DOB 22nd August, 2011.

e) S.B.I Savings Bank Account No. 411233XXXXXX maintained in the name of “Bibaswan Das”

6. The report further records that during enquiry it was learnt that the child is known to all as “Bibaswan Das” and all his educational identity and financial records uniformly bear the name “Bibaswan Das” except for the birth certificate, and no other document shows the name “Balendu Das”. It is also further recorded that no criminal antecedent or adverse report could be found against the applicant and his family during enquiry and that there is no rival claim or dispute regarding the identity of the child.
7. Let a copy of the aforesaid report as placed before this Court be taken on record.
8. The petitioner has since filed a supplementary affidavit affirmed by Usha Barua Das, the biological mother of the child, and in such supplementary affidavit the Aadhaar Card issued by the Unique Identification Authority of India in favour of the biological mother of the child has been disclosed. Apart from the marriage certificate and the discharge certificate issued by Tulip Nursing Home on 25th August, 2011, the birth certificate of the minor child has also

been disclosed. The deponent of the supplementary affidavit claims that she supports the prayer for correction of the name of the child.

9. Having heard the learned advocates appearing for the respective parties and having considered the materials on record, it appears that the recording of the name of the minor child in the register might have been on the basis of a genuine mistake. Further, there appears no criminal antecedent or any adverse report could be found against the petitioner or his family members and no rival claim or dispute regarding the identity of the child has also come to the notice of the police authorities in course of the enquiry. The documents relied on by the petitioner were also found to be genuine.
10. In the peculiar facts and noting Section 15 of the Registration of Births and Deaths Act, 1969, do provide for correction of entry in the register of births and deaths, I direct the concerned respondents to take an informed decision in the matter and correct the name of the petitioner's son and issue an appropriate corrigendum to that effect. It is expected that the process of carrying out correction and issuance of corrigendum would be completed within two weeks from the date of communication of this order.
11. With the above observations and directions, the writ petition stands disposed of.

12. Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of requisite formalities.

(Raja Basu Chowdhury, J.)

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A.R. (Court)