

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20535 of 2013

Jyotirmoy Chakraborty Son Of Late Shayama Das Chakraborty Resident Of 38/3, Phool Began Road, P.S.- Patuli (Jadavpur), Garia, Metropolitan Town Of Kolkata-86, West Bengal

.... Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Department of Planning And Development, Bihar
2. The Director, Directorate Of Statistics And Evaluation, Department Of Planning And Development, Bihar State Government
3. The District Magistrate, Begusarai
4. The Deputy Development Commissioner-Cum-District Registrar For Birth And Deaths, Begusarai
5. The District Statistical Officer-Cum-District Sub Registrar Of Births And Deaths, Begusarai
6. The Municipal Commissioner, Begusarai Municipal Corporation-Cum-Registrar Of Births And Death Registration Begusarai Nagar Nigam, Begusarai- 851101

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. DEV KUMAR PANDEY
For the Respondent/s : Mr. RAJESH SINGH

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT
Date: 28-06-2016

Heard.

A direction to the respondents to initiate an enquiry proceeding for cancellation/annulment of death certificate dated 11.09.2008 obtained by fraud in respect of the death of Late Satyendra Chandra Naha is prayed in this writ application. According to the petitioner, the death certificate of Late Satyendra Chandra Naha was earlier issued by the Executive Officer of the Nagar Parishad, Begusarai on 22.03.1996 in which the actual date of death of Late Satyendra Chandra Naha was inserted as 14.02.1996. The second death certificate was fraudulently obtained.

A counter affidavit on behalf of respondent no.6 is filed. On going

through the averments made in paragraph 7 and 8 thereof it appears that a proceeding has been duly registered by the respondent Municipal Commissioner-Cum-Registrar of Birth and Death Registration and notices have been issued to all concerned. This is with a view to pass an appropriate order to cancel the death certificate and to take appropriate decision. It is further stated that the said proceeding shall be disposed of in expeditious manner upon valid service of notice on the party concerned.

In view of aforesaid, I am satisfied that the grievance of the petitioner has been addressed by the respondent Municipal Corporation inasmuch as a proceeding has already been registered to annul/cancel the death certificate, but, after hearing the parties concerned.

The writ application is disposed of as having become infructuous.

(Kishore Kumar Mandal, J)

HR/-

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