

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**CIVIL WRIT PETITION NO. 4204 OF 2016**

Aparna Shuvendu Sekhar Sana

..Petitioner

v/s.

Navi Mumbai Municipal Corporation  
& Ors.

..Respondents

Mrs.M.M.Patel i/b. M.M.Patel & Co. for the Petitioner.  
Mr.P.G.Sawant, AGP for the Respondent/State.  
Mrs. S.V.Marne, for the Respondent no.1.

**CORAM : RANJIT MORE &  
SMT. ANUJA PRABHUDESSAI,JJ.  
DATED : JUNE 15, 2016.**

**P.C.**

1. Heard learned Counsel appearing for the respective parties. The petitioner, widow of late Shuvendu Sekhar Sana has approached this Court invoking jurisdiction under Article 226 of the Constitution of India, 1950 seeking direction to the respondent no.1 Municipal Corporation to forthwith issue death certificate of her husband.

2. There is no dispute that the petitioner's husband was admitted in Tata Memorial Hospital on 20.11.2014 and he expired on 30.11.2014 at Vashi. Certificate to that effect is also annexed at Exhibit A.

3. Mr. Marne, learned Counsel for the respondent no.2 submitted that the death certificate could not be given to the petitioner as the death of the petitioner's husband was not registered with the Registrar of Birth and Death, Navi Mumbai Municipal Corporation. He submits that the death of a person is registered on receipt of death certificate from the concerned hospital. He submitted that the Registrar did not receive said certificate and therefore the death of the petitioner's husband was neither registered nor certificate as demanded by the petitioner could be issued. The learned counsel submits that the death of the petitioners husband is not disputed.

4. Considering the fact that the death of petitioner's husband is not disputed, coupled with the fact that the petitioner was not at fault, we direct the respondent no.1 to register the death of the

petitioner's husband in Birth and Death Register and give Death Certificate of the petitioner's husband to the petitioner as expeditiously as possible, and in any case within two weeks from the date of receipt of this order.

5. In view of the above circumstances, the petition is allowed in terms of prayer clause (a).

**(ANUJA PRABHUDESSAI, J.)**

**(RANJIT MORE, J.)**