

to event to establish the same, the said corrections/change cannot be done. Only if court order is received in this case, the said changes can be done.”

3. The Petitioner has by the above Writ Petition also challenged the said communication dated 16th July, 2018.

4. The Petitioner has annexed certain documents to the Petition and further documents to her additional affidavit dated 13th December, 2019, in support of her case that the correct name of her husband was Cardidade Pascoal Fernandes.

5. The learned Advocate for the Municipal Corporation has pointed out that the Municipal Corporation has shown the name of the deceased as Pascoal Fernandes in the Death Certificate on the basis of his name shown in the Death Report received from the Hospital. It is also pointed out by the learned Advocate for the Corporation that the age of the deceased was shown as 55 years in the Death Report, whereas, from the date of birth shown in the birth certificate of the deceased, his age would be 61 years on the date of his demise.

6. The Petitioner has explained on oath that there are inconsistencies with regard to the name and age of the deceased in the death record prepared by the Hospital and the official record/document produced by her, because the relative who had accompanied the deceased at the time of admission in hospital had made mistakes whilst filling up the admission form provided by the hospital.

7. On perusal of the documents produced by the Petitioner, we find that the original Birth Certificate of the deceased shows his name as Mr.Caridade Pascoal

Fernandes and his date of birth is shown as 25th October, 1951. The original certificate of marriage produced by the Petitioner also shows the name of the deceased as Caridade Pascoal Fernandes, the name of the Petitioner as Inacinha Fernandes, and the date of marriage as 25th October, 1986. The original School Leaving Certificate of the deceased dated 12th August, 1976, produced by the Petitioner shows the name of the deceased as Fernandes Caridade Pascoal and the date of birth of the deceased as 25th October, 1951. In the passport of the deceased dated 20th December, 1979, the name of the deceased is shown as Caridade Pascoal Fernandes and the date of birth as 25th October, 1951. The Aadhar card issued to the Petitioner also shows her name as Inacinha Fernandes c/o Caridade Pascoal Fernandes.

8. In view of the above documents produced before us, we have no doubt in our mind that the assertion of the Petitioner that she is the wife of the deceased Caridade Pascoal Fernandes and that the information recorded in the death report of the hospital to the extent of the name of her husband and his date of birth is incorrect and is recorded on the basis of the incorrect particulars provided by her relative to the hospital authorities at the time of admission of her husband in the hospital.

9. The name of the deceased shown in the Death Certificate as Pascoal Fernandes therefore, needs to be corrected. We therefore direct the respondent Municipal Corporation to issue within four weeks from today, a fresh Death

Certificate to the Petitioner showing therein the name of the deceased, as Caridade Pascoal Fernandes.

10. The Writ Petition is accordingly disposed of.

(B. P. COLABAWALLA, J.)

(S. J. KATHAWALLA, J.)