

S/L 79  
31.10.2022  
Court. No. 19  
GB

W.P.A. 4964 of 2022

Sri Sannyasi Prasad Ray  
VS  
The State of West Bengal & Ors.

*Mr. Sanjib Bandyopadhyay.*

*...for the Petitioner.*

*Mr. Amal Kr. Sen,  
Mr. Swapan Pal,  
Mr. Biswajit Dutta.*

*...for the State.*

Affidavit-of-service filed in Court today, be kept with the record.

The petitioner prays for issuance of a heirship certificate by the Pradhan of Juranpur Gram Panchayat upon the death of one Sarada Sundari Devi, who died on October 15, 1950. The petitioner claims to be the great grandson of the deceased. He is 81 years old. The petitioner submits that in other similar cases, heirship certificates have been issued.

This Court is not satisfied with the documents and the pleadings. There is no instance which would reflect that the other heirs of the deceased had been granted separate heirship certificates.

In any event, an heirship certificate does not create any title or right. Moreover, the death occurred sometime in 1950 and the panchayat authorities cannot be directed to proceed on a roving enquiry in order to trace out the heirs and/or legal representatives of the deceased by going down to three or four generations. Such claim of the petitioner is

misconceived. The petitioner is unable to satisfy the court about the reason as to why such certificate is required at all.

If the petitioner wants to raise any claim to title over any property of the deceased, the petitioner's remedy would be before the civil court.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**