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13.12.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 8933 of 2022

**Sima Das
-versus
The Kolkata Municipal Corporation & Ors.**

**Ms. Priya Dey,
Ms. Chumki Das Bairagga.
...For the Petitioner.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner, being the mother of a male child born to her out of the wedlock with one Debnath Dhara, has approached this Court with a prayer for issuance of fresh birth certificate in favour of her child by deleting the surname 'Dhara' and by incorporating her maternal surname 'Das'.

Fact remains that the wedlock between the petitioner and her husband Debnath Dhara has been dissolved by way of a decree of divorce passed by the competent Court.

The prayer of the petitioner was considered by the Corporation and intimation has been served that the department is not in a position to omit the surname 'Dhara' and incorporate the surname 'Das' till the custody paper in favour of the mother or a specific direction is passed by the learned Court in this regard.

The petitioner will be at liberty to apply before the competent authority of the Corporation along with documents as sought for by the Corporation through the communicating letter dated 1st February, 2022.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)