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17.06.2022
d.p.

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

W.P.A. 9258 of 2022

**Sonali Mondal
-versus
The State of West Bengal & Ors.**

**Mr. Rajib Kumar Basu.
...For the Petitioner.**

**Ms. Koyeli Bhattacharyya,
Mr. Subhrangsu Panda.
...For KMC.**

The petitioner claims to be the widow of one Bibhas Mondal who expired on 19th August, 2018 and was cremated in the Gorabazar Burning Ghat on 20th August, 2018.

The petitioner submits that the death certificate has not been issued in respect of her husband till date.

Prayer has been made for a direction upon the Kolkata Municipal Corporation to issue the certificate of death.

Learned advocate appearing for the Kolkata Municipal Corporation relies upon the provision of Section 13 of the Registration of Births and Deaths Act, 1969.

According to the said provision, any birth or death which has not been registered within one year of its occurrence shall be registered only on an order

made by a Magistrate of the First class or a Presidency Magistrate after verifying the correctness of the birth or death and on payment of the prescribed fee.

It appears that the petitioner did not take any steps in terms of the aforesaid provision.

Accordingly, the instant writ petition is disposed of by granting leave to the petitioner to apply in accordance with the aforesaid provision of law.

In the event steps are taken by the petitioner to supply documents to the Kolkata Municipal Corporation in terms of the aforesaid provision, then necessary steps shall be taken by the Kolkata Municipal Corporation to issue the certificate of death to the petitioner.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)