

S/L 42
07.09.2022
Court. No. 19
GB

W.P.A. 13378 of 2021

Kumkum Maity
VS
The State of West Bengal & Ors.

Mr. Samiran Mandal,
Mr. Abhinaba Dan.

...for the Petitioner.

Mr. Rbindra Narayan Dutta,
Ms. Debarati Sen (Bose).

...for the State.

The affidavit of service filed in Court today be kept with the records.

The petitioner submits that the death certificate of late Sambhunath Maity is not being provided to the petitioner by the Moyna-II Gram Panchayat.

The writ petition is disposed of with a direction upon the respondent no.6, that is the Pradhan, Moyna-II Gram Panchayat to provide the death certificate to the petitioner, as there is no bar under the law for providing separate copies of death certificates to respective parties, if such application is made under the prescribed form.

Death certificate does not create any right, title or interest in respect of the property of the deceased.

The Court does not find any reason why such death certificate shall be denied to the petitioner. The status of the petitioner, the right, title and interest of the petitioner in the property of the deceased and the claim of the petitioner as an heir, has not been decided by this Court and the death certificate shall also not be a proof of such claim.

Such death certificate shall be provided within a period of one month from date of communication of this order.

The petitioner shall serve a copy of this writ petition along with a server copy of this order upon the Pradha, Moyna-II Gram Panchayat.

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.)