

S/L 10
09.02.2022
Court. No. 19
GB

W.P.A. 19312 of 2021

Dhiraj Kumar Yadav
VS
The State of West Bengal & Ors.

*Mr. Saikat Chatterjee,
Mr. Palash Bapari.*

...for the Petitioner.

*Ms. Sutapa Sanyal,
Ms. Susnita Saha.*

...for the State.

Leave is granted to the petitioner to add the Block Development Officer, Mogra Development Block as a respondent in this writ petition.

The petitioner has alleged that the death certificate of the deceased father of the petitioner has not been granted to the petitioner. The father of the petitioner late Ramoo Prasad Yadav died on July 17, 2021. It is submitted that despite several applications and representations the death certificate had not been issued in favour of the petitioner.

Ms. Sanyal, learned advocate appearing on behalf of the State respondents submits documents in order to show that there was a dispute between the petitioner and the second wife of the deceased.

Records reveal that the deceased divorced his first wife and had remarried. There are disputes between the second wife and the petitioner. That the second wife, who was a nominee of the deceased in the official documents, was

issued the death certificate. The documents produced by the District Magistrate is taken on record.

The law does not restrict the number of death certificates that may be issued. Hence, a second death certificate must be issued to the petitioner within a period of one month from date of communication of this order, upon the petitioner identifying himself and providing proof of his relationship with the deceased, before the concerned authority.

As the panchayat authorities are not before this Court and have chosen not to assist the Court in any manner, the Court requests the Block Development Officer, Mogra Development Block to take initiative and ensure that the death certificate is issued to the petitioner within the aforesaid period.

Accordingly, the writ petition is disposed of.

There will be however no order as to costs.

All parties are directed to act on the basis of server copy of this order and the learned advocate's communication.

(Shampa Sarkar, J.)