

28-09-2022
ct no. 13
Sl. 4
sp

WPA 20523 of 2022

Anjan Ghatak
-Versus-

The State of West Bengal & Ors.

Mr. Lakshminath Bhattacharya,
Mr. Rajib Kumar Acharyya,
Mr. Banshi Badan Maity
...for the petitioner

Mr. Amitesh Banerjee, Id. Sr. St. Counsel,
Mr. Suddhadev Adak
...for the State

The petitioner has a two-fold grievance. The proximate date and time of the death of the father of the petitioner is not disclosed in the Death Certificate. The dead body of the victim has not been handed over to the petitioner.

Mr. Amitesh Banerjee, learned Senior Counsel appearing for the State submits that the petitioner was repeatedly notified to come and receive the dead body of his father. The petitioner insisted that he would receive the same only after the proximate date of death is mentioned in the Death Certificate and has also asked for a copy of the post mortem report.

It is now well-settled that the Death Certificate issued under BDDC, records only the condition of the victim when brought to the

concerned authorities. The proximate date and time of death is only revealed in the post mortem report.

In view of the above, the petitioner may take the dead body of his father from the morgue at the concerned hospital after necessary permission from the concerned Police Station, along with the death certificate.

The petitioner shall also be furnished with a copy of the post mortem report by the Kalighat Police Station.

Let the aforesaid be complied with immediately by the parties.

With the aforesaid observations, the writ petition shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)