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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Judgment delivered on: 20th January, 2022

+ W.P.(C) 3370/2021&CM APPL. 10248/2021

AKSHAY KUMAR SHAHARE

..... Petitioner

versus

NEW DELHI MUNICIPAL COUNCIL

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Zahid Hanief, Advocate

For the Respondent : Mr. GS Chauhan with Ms. Ankita Sarangi,
Advocates for NDMC

Mr. Anurag Ahluwalia, Advocate for
Ministry of Defence

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J.

1. The hearing was conducted through video conferencing.
2. Petitioner seeks a direction to the respondent to rectify the death certificate dated 11.11.2019 whereby the name of the wife of the adoptive father of the petitioner has been mentioned 'Mina'.

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3. It is submitted by learned counsel for the petitioner that Mina is biological mother of the petitioner but she is not the wife of the adoptive father – Mr. Ashok Kumar Shahare.

4. It is submitted that petitioner was adopted by Mr. Ashok Kumar Shahare from Mr. Prabhakar Shahare and Mina Shahare, brother and sister-in-law of the adoptive father of the petitioner.

5. Affidavit has also been filed of Ms. Mina Shahare categorically stating that she is not the wife of Mr. Ashok Kumar Shahare, however, her name has inadvertently crept in on account of erroneous entry made by the Primus Super Speciality Hospital, Chankaya Puri, Delhi.

6. Primus Super Speciality Hospital has also issued a letter to the Registrar (Births-Deaths) for correction of the name in the death certificate of Mr. Ashok Kumar Shahare.

7. Learned counsel Mr. Anurag Ahluwalia, Advocate appearing for Ministry of Defence has filed part of the service record of Mr. Ashok Kumar Shahare. Copy of the same has been filed over e-mail of the Court Master. Same is taken on record.

8. Perusal of the service record of Mr. Ashok Kumar Shahare does not show that Mina Shahare was his wife. Even the CGHS Card



applied for and issued to him contains only his name and the names of his son and daughter.

9. In view of the above, petition is disposed of with a direction to the respondent to delete the name 'Mina' in the clause: *Name of Husband/wife*, from the death certificate of Mr. Ashok Kumar Shahare. Fresh death certificate be issued expeditiously preferably within a period of one week from today.

10. Petition is disposed of in the above terms.

11. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

JANUARY 20, 2022
'rs'

SANJEEV SACHDEVA, J