

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2953 of 2022

Sarvdeo Kumar Son of Late Nirmal Kumar Resident of Village-Sultanpur Bhattaper, near Sipahi Bhagat, School, Danapur Cant, Danapur, District-Patna, Bihar. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Patna.
2. The Secretary Department of Disaster Management Government of Bihar. Patna.
3. The Secretary Health Department Government of Bihar, Patna.
4. The Secretary Nagar Parishad Danapur, Niyamat Patna.
5. The Executive Officer Nagar Parishad Danapur Niyamat Patna
6. Ward Jamadar Ward no. 15 Nagar Parishad Danapur Niyamat, Danapur Pincode 800012, District-Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Archana Sinha @ Archana Shahi, Advocate
For the Respondent/s : Mr.Rishi Raj Sinha, SC-19

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 02-08-2023 Heard the parties.

The present petition was filed for issuance of death certificate of the mother of the petitioner and the case of the writ petitioner was that she died of Covid-19 illness on 10.4.2021 within the jurisdiction of Danapur, Nagar Parishad and the respondents have failed to provide him a death certificate.

As the documents of the Nagar Parishad, Danapur was/were not clear, a direction was given to it to file a fresh counter affidavit which is now on record.

As per it, the Executive Officer, Danapur having come to know about the facts of the case, constituted a committee which gave report on 12.7.2023 stating that the



mother of the petitioner did not breathe her last at Sultanpur, Nayatola, Danapur rather according to Pinki Devi, Aanganbari Sevika, Ward no.15 disclosed that she died at her native place, Masaurhi.

However, the committee failed to ascertain whether she died of natural illness or Covid-19. Further, as per the register of the Patna Municipal Corporation, mortal remains were consigned to flames at 'Bansghat', Patna.

The report of the committee has been annexed as Annexure-R/3 to the affidavit.

Copy of the counter affidavit has been served upon learned counsel for the petitioner on 14.7.2023 and there is no rejoinder to it disputing the claim of the Nagar Parishad, Danapur.

In that view of the matter and since the case of the respondents, the lady died at Masaurhi and not within its jurisdiction, no direction can be issued to the Nagar Parishad, Danapur.

The writ petition stands disposed of.

(Rajiv Roy, J)

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