

14.03.2023
Court No. 19
Item no.15
CP

W.P.A. No. 5182 of 2023

Kanshari Bhaumik

Vs.

The State of West Bengal & Ors.

Mr. Saibal Acharya
Mr. Rajib Kr. Acharya
Mr. Banshi Badan Maity

....for the petitioner.

Mr. Domingo Gomes

....for the State.

A dispute has been created as two different death certificates with two different addresses as to the place of death of late Sovana Bhowmik, had been issued by two different gram panchayats.

The petitioner alleges that the deceased was his aunt and she died at Bara Barisha, Kolaghat. A death certificate was accordingly given. In the other death certificate issued by Raghunathbari Gram Panchayat, the address of the deceased at the time of death has been mentioned as Raghunathbari, Purba Medinipur.

According to the petitioner, the certificate issued by the Kola - I Gram Panchayat should be treated as genuine.

It appears from the records that the deceased was childless and had lost her husband. The

petitioner has not been able to apprise the court whether some other rival claimant had approached the Raghunathbari Gram Panchayat for a death certificate.

The petitioner has already approached the District Magistrate, Purba Medinipur for a decision in the matter. The representation is annexure P-4, at page 14 of the writ petition.

The District Magistrate Purba Medinipur, shall dispose of the said representation of the petitioner upon granting an opportunity of hearing to the petitioner, the person who had applied before the Raghunathbari Gram Panchayat for the death certificate and the issuing authorities of the two gram panchayats. A reasoned order shall be passed and communicated to the parties.

On the basis of what transpires during the hearing, a reasoned order shall be passed and a decision shall be taken in this regard. Consequential steps shall follow, based on such decision.

This order along with the writ petition shall be communicated to the District Magistrate, by the petitioner.

The entire exercise shall be completed within a period of two months from the date of communication of this order.

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.)