

1st August,
2023
(AK)
09

W.P.A 15400 of 2023

Mahabubul Anam
Vs.
The State of West Bengal and others

Mr. Tushar Kanti Mukherjee
...for the petitioner.

Mr. Ranajit Chatterjee
Ms. Sukanya Datta
...for the State.

Learned counsel for the petitioner contends that the petitioner was issued a license to function as a Muhammadan Marriage Registrar, which is annexed at page-7 of the writ petition.

Subsequently, however, the required Sanad, which is to be granted to the petitioner on the basis of such license for functioning as a Kazi, was not granted.

The petitioner accordingly applied for such Kazi Sanad, which has not yet been given to the petitioner.

It is submitted that, subsequently, the Joint Secretary to the Government of West Bengal wrote to the residents of the concerned Police Station, asking to enlighten the Joint Secretary's Department regarding the necessity of appointing the petitioner as Kazi in the area.

It is submitted that the overwhelming majority of the people in the area stated that such appointment was necessary.

Be that as it may, learned counsel for the State submits, on instruction, that the Principal Secretary, Law Department of the Government of West Bengal is the concerned authority to grant such Sanad.

Although the Principal Secretary, Law Department has not been impleaded, respondent no.2 herein is the Secretary, Law Department of the Government of West Bengal.

In any event, since the State is a party to the writ petition, the purpose of justice will be sub-served if the respondents are directed to ensure that the Sanad is issued to the petitioner at the earliest.

Accordingly, WPA 15400 of 2023 is disposed of by directing the respondent authorities to issue a Sanad in terms of the license granted to the petitioner, for performing duties as a Kazi/ Muhammadan Marriage Registrar in the area covered by the Basanti Police Station.

Such Sanad shall be issued as expeditiously as possible, preferably within three weeks from date.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)